

(Washington, DC) – The Foreign Relations Authorization Act, which the House of Representatives is expected to pass tonight, includes a provision written by U.S. Rep. Rush Holt (NJ-12) to ensure other nations comply with international child abduction agreements. Stronger compliance laws would have helped one of Holt's Central New Jersey constituents, David Goldman, who has been unable to regain custody of his kidnapped son, who has been in Brazil for five years.

“This heartbreaking case and the outrageous delaying tactics employed by a Brazilian political party and other groups in Brazil has underscored the need for the United States and other nations to examine what changes to the Hague Convention may be necessary to prevent these kinds of cases from dragging on for years,” Holt said. “We should ensure that the Hague Convention, and if necessary, U.S. laws, are revised to resolve more quickly cases like that of David and Sean Goldman.”

Holt's amendment would require the Secretary of State to report to Congress within 60 days of the bill's enactment on potential changes in treaty language and related U.S. laws that would improve other countries' compliance with the Hague Convention on the Civil Aspects of International Child Abduction. Like the United States, Brazil is a signatory to the Hague Convention.

Five years ago, David Goldman's then-4-year-old-son Sean was taken to Brazil by his then-wife. Sean has never returned to the U.S. and David Goldman has never regained custody, even after his wife subsequently died. Despite the clear legitimacy of Mr. Goldman's claim, the case has crawled along in Brazil's courts, bouncing back and forth and back and forth. Earlier this month, the Brazilian Federal Court in Rio ordered Sean returned to David Goldman. However, a Brazilian political party filed a motion with the Brazilian Supreme Court asserting that Brazil's accession to the Hague Convention was unconstitutional.

In a related development, the State Department today urged the Brazilian Supreme Court to dismiss the motion. Rep. Holt applauded the move.

In 1980, the Hague Convention on the Civil Aspects of International Child Abduction entered into force. Its purpose was to ensure that if a child was removed from his or her country of habitual residence by one parent against the will of the other, the aggrieved parent would have an internationally recognized means of recovering his or her child.

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