

## DEPARTMENT OF INTERNATIONAL LEGAL AFFAIRS

## OFFICE OF LEGAL COOPERATION

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(Adopted at the fourth plenary session held on June 4, 2002)

THE GENERAL ASSEMBLY,

HAVING SEEN:

The Annual Report of the Inter-American Children's Institute to the General Assembly (CP/doc.3562/02);

The Hague Convention on the Civil Aspects of International Child Abduction, of October 25, 1980; the Inter-American Convention on the International Return of Children, of July 15, 1989; and the Convention on the Rights of the Child, of November 20, 1989;

General Assembly resolutions AG/RES. 1691 (XXIX-O/99), "International Abduction of Minors by One of Their Parents"; AG/RES. 1733 (XXX-O/00), "Inter-American Year of the Child and the Adolescent"; AG/RES. 1742 (XXIX-O/00), "International Abduction of Minors by One of Their Parents"; and AG/RES. 1835 (XXXI-O/01), "Inter-American Program of Cooperation to Prevent and Remedy Cases of International Abduction of Minors by One of Their Parents"; and

The Plan of Action to strengthen democracy, create prosperity, and realize human potential, in particular the section on children and youth, adopted at the Third Summit of the Americas, in Quebec City, Canada, on April 22, 2001;

CONSIDERING:

Resolution AG/RES. 1667 (XXIX-O/99), "Inclusion of Children's Issues on the Hemispheric Agenda," which states that it is absolutely essential that children's issues be given priority consideration in inter-American political forums, especially in the General Assembly of the OAS;

The desirability of encouraging and intensifying cooperation in the Hemisphere on issues related to children and adolescents; and

That the Plan of Action of the Third Summit of the Americas recognizes that promotion of the rights of children and their development, protection, and participation are essential if they are to realize their full potential;

NOTING IN PARTICULAR that the Plan of Action of the Third Summit of the Americas encourages cooperation to reduce cases of international abduction of children by one of their parents;

CONVINCED that the abduction of children by one of their parents is a problem with dire repercussions on their integral development and well-being and one that may be exacerbated by the increasing displacement of persons outside national borders in a progressively more globalized society;

REAFFIRMING that both parents are responsible for the upbringing and development of their children and that it is a fundamental right to maintain personal relationships and direct contact with both parents on a regular basis, even if they reside in different states;

RECOGNIZING that legally enforceable access and visitation for children living apart from one parent is an essential element of every legal and social welfare system; and

CONSIDERING the need to boost and intensify, through inter-American cooperation activities, the efforts of member states to prevent the international abduction of minors and to promote their return,

RESOLVES:

1. To urge member states to consider signing and ratifying, ratifying, or acceding to, as soon as possible, and as the case may be, the Hague Convention on the Civil Aspects of International Child Abduction, of October 25, 1980; the Inter-American Convention on the International Return of Children, of July 15, 1989; the Hague Convention on Protection of Children and Co-operation in respect of Intercountry Adoption, of May 29, 1993; and the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children, of October 19, 1996, and to call on states parties to comply with their obligations under these conventions in order to prevent and remedy cases of international abduction of children by one of their parents.

2. To convene at the headquarters of the Inter-American Children's Institute (IACI), on August 12 and 13, 2002, a meeting of government experts on the subject of the international abduction of children by one of their parents, in accordance with the resources allocated in the program-budget and other resources.

3. To recommend, further, that the meeting of government experts consider preparing an inter-American program on cooperation to prevent and remedy cases of international abduction of minors by one of their parents, with specific objectives, including the establishment of a network for the exchange of information and for cooperation among the competent national bodies in member states. This network would address the different regulatory and legal aspects involved in preventing and settling cases of abduction and in ensuring substantial, frequent, and legally enforceable access and visitation for both parents, even when the parents reside in different states.

4. To invite the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights, and the Inter-American Juridical Committee to lend their support and legal and technical assistance, within their respective spheres of competence, for the organization and holding of the meeting of government experts.

5. To request the Inter-American Children's Institute to prepare a report on the status of the international abduction of minors by one of their parents in the Americas, to be presented to the meeting of government experts.

6. To invite the member states, permanent observers, international organizations, multilateral financial institutions, and civil society organizations to collaborate and cooperate with the meeting of government experts.

7. To direct that the recommendations of the meeting of government experts be submitted to the IACI Directing Council and that a report be presented on the implementation of this resolution to the General Assembly at its thirty-third regular session.