

## **Parents, experts urge Japan to sign child custody treaty**

Murray Wood has not seen his two children, ages 8 and 11, since his Japanese ex-wife whisked them away from Canada to Japan in November last year.

Wood, who over the past year has filed unsuccessfully in Japanese courts for the children's return, was among parents and legal experts at a forum in Tokyo Saturday, urging Japan to sign a treaty that supporters say protects children from international custody battles.

"I want to re-establish contact with my children, to let them know I'm still here," Wood, a Canadian citizen, said at the forum. "I want to let them get on with their lives back home."

Wood was granted sole custody in Canada over son Takara, 11, and daughter Manami, 8. But that means nothing in Japan — the only member of the Group of Seven, the world's seven wealthiest countries, that has not signed the 1980 Hague Convention on Civil Aspects of International Child Abduction.

The convention, so far ratified by 75 countries, says any child removed from country by a parent without the other parent's permission must be returned, and the custody resolved in the original country.

This has made Japan a "safe-haven" for parents who want to impinge on their ex-spouses' custody, said Annette Marie Eddie-Callagain, a private U.S. family lawyer who practices in Japan.

"In non-Hague countries, getting children returned is almost impossible, and Japan is one of the worst," Eddie-Callagain said, adding that a growing number of children are being brought to Japan by one parent against the other parent's wishes.

The U.S. Embassy in Tokyo was aware of 20 such children in Japan, said Maura Harty of the U.S. Bureau of Consular Affairs.

U.S. clinical psychologist Jim McRae said children brought to Japan by separated or divorced Japanese parents face particular emotional stress due to the country's idea that ex-spouses should have nothing to do with each other.

"The Japanese parent often won't talk about the other parent at all -- or even about the other country," McRae said. "This has grave consequences for the child's identity."

Meanwhile, international marriages have become more common in Japan. One in 20 new marriages in 2003 involved one non-Japanese spouse, a newspaper reported Friday.

This trend has not been matched by adequate mechanisms for dealing with cross-border divorce and custody issues, Eddie-Callagain said.

But Satoshi Watanabe, a law professor at Kyoto's Ritsumeikan University, said Japan should be cautious in accepting the Hague Convention because the Japanese legal system works on very different assumptions from those underlying the international agreement.

"Japanese family courts rarely order the removal of children from one parent to another, but instead try to find a solution acceptable to both parents -- even if that takes a long time," said Watanabe.

"I think Japan needs more time to reconcile those differences," he said. (AP)

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