

Prevention

Guarding Against International Parental Child Abduction

Parental child abduction is a federal crime. It is also a tragedy that jeopardizes children and has substantial long-term consequences for the “left-behind” parent, the child, the family, and society. Children who are abducted by their parents are often suddenly isolated from their extended families, friends, and classmates. They are at risk of serious emotional and psychological problems. Similarly, left-behind parents experience a wide range of emotions including betrayal, loss, anger, and depression. In international cases, they often face unfamiliar legal, cultural, and linguistic barriers that compound these emotions.

In this section of our Web site, learn about the measures you can take to prevent your child from being wrongfully taken to or wrongfully kept in another country. In addition to the materials below, also see these important links:

[Children's Passport Issuance Alert Program](#)

[Passport Requirements for Minors](#)

[Additional Prevention Tools](#)

[For Attorneys & Judges](#)

International Parental Child Abduction Is Illegal

Under the laws of the United States and many foreign countries, international parental child abduction is crime. Removing a child from the United States against another parent's wishes can be considered a crime in every U.S. state. In some cases an abducting parent may be charged with a Federal crime under the [International Parental Kidnapping Crime Act \(IPKCA\)](#). This can be the case even when neither parent holds a custody decree prior to the abduction. Nevertheless, a custody decree can be helpful to prevent an international parental child abduction, or to recover your child if he/she is abducted.

The Importance of a Custody Decree

A well-written custody decree is an important line of defense against international parental child abduction. In your custody decree, it may be advisable to include a statement that prohibits your child from traveling abroad without your permission or that of the court. Ask your attorney if you should obtain a decree of sole custody or a decree that prohibits the travel of your child without your permission or that of the court. If you have or would prefer to have a joint custody decree, you may want to make certain that it prohibits your child from traveling abroad without your permission or that of the court.

If your child is at risk of being taken to a country that partners with the United States under the [Hague Convention on the Civil Aspects of International Child Abduction](#) (Hague Abduction Convention), your custody decree should include the terms of the Hague Abduction Convention

that apply if there is an abduction or wrongful retention ([see country list](#)).

The American Bar Association also suggests requesting the court, if the other parent is not a U.S. citizen or has significant ties to a foreign country, to require that parent to post a bond. This may be useful both as a deterrent to abduction and, if forfeited because of an abduction, as a source of revenue for you in your efforts to locate and recover your child.

REMINDER: Obtain several certified copies of your custody decree from the court that issued it. Give a copy to your child's school and advise school personnel to whom your child may be released.

Two Parent Signature Law for a Passport

The United States does not have exit controls on its borders for holders of a valid passport. This makes preventing a passport from being issued to your child without your consent very important. Generally, if your child has a passport, it can be difficult to prevent the other parent from removing the child to another country without your permission.

U.S. law requires the signature of both parents, or the child's legal guardians, prior to issuance of a U.S. passport to children under the age of 16. To obtain a U.S. passport for a child under the age of 16, both parents (or the child's legal guardians) must execute the child's passport application and provide documentary evidence demonstrating that they are the parents or guardians. If this cannot be done, the person executing the passport application must provide documentary evidence that he or she has sole custody of the child, has the consent of the other parent to the issuance of the passport, or is acting in place of the parents and has the consent of both parents (or of a parent/legal guardian with sole custody over the child to the issuance of the passport).

EXCEPTIONS: The law does provide two exceptions to this requirement: (1) for exigent circumstances, such as those involving the health or welfare of the child, or (2) when the Secretary of State determines that issuance of a passport is warranted by special family circumstances.

Read more: [Passport Requirements for Minors](#)

Children's Passport Issuance Alert Program

You may also ask that your child's name be entered into the State Department's [Children's Passport Issuance Alert Program](#) (CPIAP). Entering your child into the Children's Passport Issuance Alert Program will enable the Department to notify you or your attorney if an application for a U.S. passport for the child is received anywhere in the United States or at any U.S. embassy or consulate abroad. If you have a court order that either grants you sole custody, joint legal custody, or prohibits your child from traveling without your permission or the permission of the court, the Department may refuse to issue a new or renewal U.S. passport for your child. The Department may not, however, revoke a passport that has already been issued to the child. There is also no way to track the use of a passport once it has been issued, since there are no exit controls for people leaving the U.S. If your child already has a passport, you should take steps to

ensure that it is kept from a potential abductor by asking the court or attorneys to hold it.

IMPORTANT TO KEEP IN MIND:

1. The United States does not have exit controls.
2. The Department of State may not revoke a passport that has been issued to a child, but you can ask a court to hold onto it.
3. There is no way to track the use of a passport once it has been issued.
4. Your child might also be a citizen of another country (dual nationality). Even if he/she does not have a U.S. passport, your child may be able to travel on the other country's passport.

The Privacy Act and Passports

Passport information is protected by the provisions of the Privacy Act (PL 93-579) passed by Congress in 1974. Information regarding a minor's passport is available to either parent. Information regarding adults may be available to law enforcement officials or pursuant to a court order issued by the court of competent jurisdiction in accordance with (22 CFR 51.27). For further information regarding the issuance or denial of United States passports to minors involved in custody disputes, please [contact Passport Services](#).