

Statement of the Royal Embassy of Saudi Arabia
Mannal Radwan
Subcommittee on Human Rights & Wellness
July 9, 2003

Mr. Chairman, Ranking Member Watson, and Distinguished Members of the Subcommittee:

In response to the Committee's request for testimony from the Embassy, please accept the following statement:

I am the Assistant Director for Political and Congressional Affairs at the Royal Embassy of Saudi Arabia. I also serve as a member of my Government's Interministerial Committee dealing with child custody cases. My position at the Embassy includes responsibility for facilitating communications between the Embassy and Congress, and providing assistance on various issues of concern to Congress, the State Department, and the Government of Saudi Arabia. For the past year, I have been very involved in assisting our Government to resolve and prevent child custody disputes between American and Saudi parents.

I welcome the opportunity to provide this statement for the record and thank you for considering the views of the Government of Saudi Arabia on this important and often tragic issue that is before the Subcommittee today.

It is the Government of Saudi Arabia's firm belief that child custody issues are a human tragedy that should not be politicized. In that light, I am pleased to report on the work done by the Government of Saudi Arabia to fulfill its commitment to solving all outstanding child custody cases between our two governments.

Before I do that, however, I would like to thank the U.S. Congress for cooperation that it has provided to the Government of Saudi Arabia in trying to find suitable solutions that best serve the interests of the children involved in custody disputes. Working closely with members of Congress on individual cases has proved to be invaluable by building confidence between parents -- a vital element in reconciling differences and speeding the process towards a final resolution. Unfortunately, results often are slow in coming but our joint relentless Saudi-American efforts have proven to be very successful.

I am pleased to confirm that, in the past few months, through our joint efforts, Saudi Arabia was able to resolve approximately 40% of the outstanding child custody cases presented by the State Department to my government. This diplomatic process has resulted in the return of seven children to the United States this year. In addition, three more children are expected to return to the United States in the near future.

It is important to note that there are about 1,100 cases of child custody cases involving one American parent, and less than one percent of these involve Saudi parents. In that light, the return of seven children to the United States, in a matter of a few months, can only demonstrate the seriousness of the Government of Saudi Arabia in its full commitment to resolve child

custody issues. Similarly, these results prove the great benefit of the close cooperation and coordination that we have established with the State Department and with members of Congress.

I would remiss if I did not also mention our close cooperation with the National Center for Missing and Exploited Children. NCMEC was instrumental in sharing information and working on creative measures to resolve outstanding cases and to establish preventive measures to safeguard against the development of new ones.

In my testimony today, I want to focus on five important accomplishments of my Government in its pursuit to resolve and prevent child custody cases:

1. Proposed Bilateral Protocols Between Saudi Arabia and the United States

Child custody disputes are complicated by the fact that children are often citizens of both Saudi Arabia and the United States. The fact that Saudi court orders are usually not enforceable in the United States and vice versa has been a major source of difficulty. In trying to address this problem, the Saudi government realized that membership in the Hague Convention may not serve as the best solution. It has been reported by State Department officials that: “The Convention is far from 100% successful, it does not guarantee a satisfactory result for every left-behind parent.”

The Kingdom of Saudi Arabia has accordingly proposed bilateral protocols with the U.S. that would establish a mechanism for dealing with these issues and help overcome the obstacle of differing legal jurisdictions and make it possible to resolve these cases in a practical manner. Major steps have been taken towards the realization of such a protocol but much work still needs to be completed.

2. The Establishment of An Interministerial Committee to Oversee Child Custody Cases between the Saudi Arabia and the United States

My Government has established an Interministerial Committee to review each case presented by the State Department on an expedited basis and to recommend ways of resolving them. The committee consists of members from the Ministry of Foreign Affairs, the Ministry of Interior, and the Embassy of Saudi Arabia in Washington, D.C. The committee also works closely with Governors’ offices throughout the Kingdom. Members of the Committee meet on regular basis with officials from the U.S. consulates in Saudi Arabia and with officials from the State Department and members of Congress in Washington, D.C.

We have repeatedly seen examples of how our increased communication with members of your government has aided the resolution process of many of the cases to a great extent.

3. The Establishment of Mechanisms for American Parents to Gain Access to their Children in Saudi Arabia

The Kingdom is committed to assist American parents living in or outside Saudi Arabia to obtain meaningful access to their children residing in Saudi Arabia. Access by parents to their children and contact include efforts to maintain in-person visits on a regular basis; regular telephone conversation; exchange of photographs; access by parents to children's school and medical records; and visits by consular officers when requested by a parent.

On a personal level, I cannot express the joy my colleagues and I feel when we help facilitate successful phone conversations, exchange of photographs and home videos to parents who have unfortunately had to suffer separation from their children.

Furthermore, the Kingdom has established mechanisms for in-person visitation by American parents that guarantees private, secure, and comfortable surroundings and sufficient time to allow meaningful interaction between parent and child.

I am happy to inform you, that during this year, all visas requested by American parents to visit their children in Saudi Arabia have been granted.

It is vital to note, that access and facilitation of visits are not end goals in themselves for some child custody cases. However, we have witnessed that we should not neglect those measures because while they fall short of arriving at a final resolution to the conflict, nonetheless it enables the left behind parent to have a place in their child's life. Equally important, gaining access between parents and children has proven to be instrumental in speeding the process towards a final resolution because of the marked restoration of confidence between the parents and the creation of viable means of communication.

I am happy to inform you that we have received reassuring remarks from the State Department and Members of Congress as to the effectiveness of the Kingdom's new measures taken to guarantee family visit visas.

4. Adults are Guaranteed the Freedom to Choose their Country of Residence.

The Kingdom now guarantees that all adults (men and women who are 18 years or older) have the freedom to choose in which country they wish to reside and maintain the right to travel to and from Saudi Arabia for purposes of visitation or relocation.

5. Preventive Measures

It has always been said that prevention is the best cure. As such, the Kingdom of Saudi Arabia, in cooperation with the State Department, is studying a suggested framework for marriage contracts between citizens of both nationalities that would specify rights and obligations of each spouse, parental rights, and issues related to divorce. Once a framework is worked out, it is the hope of the Saudi government that such measures will help in raising awareness and be useful in avoiding future disputes.

Furthermore, the Kingdom has always been committed to exchanging information about Saudi laws and practices relevant to child custody, parental access to children, and related matters.

Moreover, all Saudi consulates have been instructed to obtain the consent of both parents before a child is issued any travel documents. The Saudi Consulates are working hard to prevent a parent from removing a child against the wishes of the other parent.

Let me close my testimony with an important note. It has been evident that every case of child custody is unique and there is no tailor-made solution that should be applied across the board. I want to assure you that the Kingdom is committed to encourage its citizens to reach voluntary custody and access arrangements providing both parents with rights of access to their children. The Government of Saudi Arabia is committed to continue working with your government to address this tragic problem in ways that would ensure the best interests of the children and to address parents' concerns.

Let me assure you that parents have the highest level of respect in Islam, regardless of their religion or nationality. The *Qur'an* instructs us all to pay the utmost respect, consideration, and fair treatment to our parents even if they were non-Muslims. It is in this spirit of respect and fairness that I wish to assure you that the Government of Saudi Arabia plans to continue its efforts to resolve all child custody issues through the diplomatic processes that are proving to be highly successful.

I would like to thank you for considering our views on this matter.