

3) The court orders which may be obtained are discussed in answers 1 and 2 above and relate to the issuing of stop orders, orders prohibiting the removal of the child from the jurisdiction, depositing of passports, or even the depositing of a monetary guarantee or bond until the end of proceedings.

4) Stop orders may be obtained in emergency situations, out-of-hours and ex-parte. An order for the removal of a child from the parent's physical custody by the social welfare services may also be obtained in an emergency situation when it is suspected that an abduction is imminent or that the parent may attempt to go into hiding with the child.

5) Parents who consult with our office regarding their rights to leave the country with their children are advised to seek relocation orders rather than risk taking unilateral action and being charged with abduction. This is not to say that relocation orders do not pose their own problems with respect to future abduction. Relocation orders could potentially encourage the parent who is "left behind" and denied regular access to the child, to contemplate abducting the child, or to unlawfully retain the child during one of the child's visits.

6) There have been recent administrative measures taken by the Ministry of Interior, according to which, children of divorced parents may receive passports only if both parents arrive to sign their consents.

In general, stop orders are used quite often and are quite effective in preventing abduction. These orders are usually used in conjunction with an order to deposit passports, unless it is an emergency situation and there is no time for the passports to be deposited.

BORDER CONTROLS

1) Rules relating to the issuance or deposit of passports are discussed above. We are not familiar with rules or procedures related to issuance or withdrawal of visas. Just for clarification, once the court issues a stop order, this order is immediately conveyed to the border police at airports and all other border crossings. Often our

Central Authority is called upon to contact Interpol in order to ensure that the stop orders have been registered with the border police.

2) Since the United States has changed its policy with respect to the issuing of passports to children (today, both parents must be present in order to issue the passports), we have a great deal of co-operation from the U.S. Embassy in Israel regarding information on the issuing of passports in cases where potential abduction is suspected. In cases where it is suspected that an American citizen may be unlawfully removed from Israel (his/her habitual residence), we notify the U.S. Embassy and request that a new passport not be issued until the matter is resolved in court. So far, we have received a great deal of assistance from the Embassy. We have had similar co-operation from the French Embassy with respect to a potential abduction.

3) From Israel one must pass border controls to any and all States and a passport must always be used. Some States (such as European States) do not require visas from those travelling from Israel. This is due to bilateral agreements.

4) All foreign nationals must enter Israel by passing border controls and must use a valid passport. Israel does not require visas from all States, also due to bilateral agreements.

5) As explained in answer 1 of this section, port alerts may only be put into effect and preventing removal from our jurisdiction may only be achieved, once a stop order is issued by a court and the Border Police are duly notified.

6) We do not have details of any specific duties on air carriers relating to the carriage of children, except for children under the age of 12 receiving assistance from the air crew as unaccompanied minors.

7) As explained above, the Border Police operate to prevent removal of children on the basis of stop orders issued by the court. These stop orders are often used in practice, however they are only as effective as the information provided in the order. In some cases, the child and parent are in possession of foreign passports, the

details of which are unknown to the court. In such cases, the stop orders could prove ineffective, as the border police would be searching for bearers of other passports.

INFORMATION FOR PARENTS

Regrettably, we do not have written information available on preventive measures. In general, parents are referred to our Central Authority for information. Although we notify them of the various options available to them, our role as a neutral body prevents us from providing legal advice. We therefore refer parents to attorneys specializing in this field for further assistance in preventing abduction.

TRAINING AND EDUCATION FOR PROFESSIONALS

Through continuing-education seminars under the auspices of the Ministry of Justice, the Central Authority is able to educate other professionals regarding the workings of the Convention. These may include police officers, social workers, and even Judges (to whom we are sometimes called upon to lecture at Judicial Seminars). Through the Israeli Bar Association, private attorneys have lectured on the subject of child abduction, including the means available to prevent abductions. However, there has been no specific training or education in the area of preventive measures.

These seminars may take place on an average of only once or twice a year.

PUBLICITY

The Central Authority for Israel has a web page as part of the Ministry of Justice website. There is no direct access to the Central Authority's page, which at this point is accessible only through the Ministry of Justice website which is in the Hebrew language only. We are hoping that the website in English will be completed soon.

We are not aware of other means used to publicize preventive measures operating in Israel.

COOPERATION

We have full co-operation from the Israel Police/Interpol, due to the fact that the Central Authority is part of the Department of International Affairs in the State Attorney's office (Prosecution). We work with the police and Interpol on many criminal

cases that are dealt with in our department, so it was a logical conclusion for them to assist us with the abduction cases as well.

We are unaware of co-operative agreements with other States between different Central Authorities or agencies with respect to preventive measures.

Interpol together with the Border Police is really the only agency preventing the removal of children (there is no agency preventing the retention of children). They can only be reached either via the Interpol office of another State, or through our office. The social welfare services may remove children from the custody of a parent in order to prevent their removal from Israel, only by court order and do not act independently.

OTHER INFORMATION

Although under Israeli Law we do not have many different ways of preventing abduction, as stated above, stop orders have been quite an effective measure for prevention. One measure that could be effective and we that we intend to suggest to our legislation department, would be an obligatory document signed by both parents and notarized, permitting the removal of the child from Israel and stating the length of time that the child would be taken for. We have seen an example of such a document that is used in Argentina, and is supposedly quite effective in preventing abductions. However, this would not necessarily prevent unlawful retention.

Yours truly,

Irit Kohn
Director

By:

A handwritten signature in cursive script, appearing to read "Joyce Moriber".

Joyce Moriber
Deputy to the State Attorney