

# Argentina

**Country Summary:** The Hague Abduction Convention has been in force between the United States and Argentina since 1991. In 2017, Argentina demonstrated a pattern of noncompliance. Specifically, Argentina’s judicial branch regularly fails to implement and comply with the provisions of the Hague Abduction Convention. As a result of this failure, 40 percent of requests for the return of abducted children under the Convention remained unresolved for more than 12 months. On average these cases were unresolved for five years and five months. Argentina has been cited as noncompliant since 2014.

**Initial Inquiries:** In 2017, the Department received three initial inquiries from parents regarding possible abductions to Argentina where no completed applications were submitted to the Department.



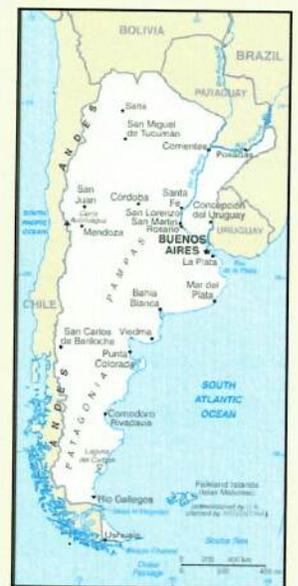
	Cases	Children	Cases	Children
	2016	2016	2017	2017
Abduction Cases Open at the Start of the Year	3	4	3	4
New Abduction Cases	0	0	2	2
Total Abduction Cases	3	4	5	6
Abduction Cases Resolved During the Year	0	0	2 (40%)	3
Abduction Cases Closed During the Year	0	0	0 (0%)	0
Abduction Cases Still Open at the End of the Year	3	4	3 (60%)	3

**Significant Developments:** Argentina enforced the return of two children to the United States in one case in 2017, resolving a seven-year-long Convention application. The Argentine Central Authority, together with the broader Ministry of Foreign Affairs and Worship and the Argentine Embassy in Washington, D.C., coordinated with the Department to ensure the safe return of the children. Additionally, Argentina's International Hague Network Judge regularly engages with judicial authority colleagues and the Argentine Congress on the implementation of the Convention in Argentina. In 2017, the Argentine Network Judge collaborated on the text of a draft law seeking to expedite Convention cases and reduce the number of appeals prior to enforcing return orders. The International Centre for Missing and Exploited Children (ICMEC) trained Argentine law enforcement officials on the subject of missing children and collaborated with Argentine interlocutors to prevent and respond to missing children cases.

**Central Authority:** The United States and the Argentine Central Authorities have a strong and productive relationship that facilitates the resolution of abduction cases under the Convention. The Department has enjoyed a good, working partnership with the Argentine Central Authority in 2017 and has observed a commitment by the executive branch of the Government of Argentina to attempt to improve Convention performance in the country.

	Cases	Children	Cases	Children
	2016	2016	2017	2017
Abduction Cases Filed with the FCA at the Start of the Year	3	4	3	4
New Cases Filed with the FCA	0	0	2	2
Total Cases on File with the FCA During the Year	3	4	5	6
Cases That Have Been Unresolved for Over 12 Months	3	4	2	2
FCA Caseload Unresolved at the End of the Year	100%		40%	

**Voluntary Resolution:** The Convention states that central authorities “shall take all appropriate measures to secure the voluntary return of the child or to bring about an amicable resolution of the issues.” In 2017, one abduction case was resolved through voluntary means.



**Location:** In some cases, the competent authorities delayed taking appropriate steps to locate a child after a Convention application was filed. The average time to locate a child was 34 days. In one notable case, the Argentine authorities have failed to confirm the child's location on multiple occasions. As a result, the Convention case has not advanced.

**Judicial Authorities:** The Argentine judicial authorities demonstrated a pattern of noncompliance with the Convention due to serious delays in deciding Convention cases. As a result, cases may be pending with the judiciary for well over one year. Two open cases have been before the courts for three and eight years, respectively, with final resolution still pending.

**Enforcement:** While courts in Argentina ordered returns under the Convention, the Argentine authorities did not always enforce these orders, apparently due to conflicts in orders from other Argentine courts. In this reporting period, after significant delays, Argentina enforced the court-ordered return of two children in one case.

**Department Recommendations:** The Department will continue intense engagement with the Argentine authorities to address issues of concern and expand public diplomacy activities related to the resolution of cases.

**Access:** In 2017, the U.S. Central Authority had one open access case under the Convention in Argentina. This case has been filed with the Argentine Central Authority. No new cases were filed in 2017. By December 31, 2017, this case (100 percent) had been resolved.

