

criminality” as the basis for extradition. However, this requires that parental child abduction be considered a crime in both the countries that have signed the treaty.

- Many civil law countries – in contrast with common law countries such as Canada (with the exception of the province of Quebec), Australia, the United States and the United Kingdom – will not extradite their own nationals. Nearly all the countries of Latin America and Europe are civil law countries. Experience has shown that foreign governments are often unwilling to extradite anyone for parental child abduction.

While it is important to report the abduction of your child to the police as soon as possible, your complaint will not necessarily result in child abduction charges. Whether at the level of the police, the Crown Attorney’s office or the federal Department of Justice, which is responsible for extradition questions, such decisions are made in accordance with the particular circumstances of each situation and the possible repercussions on the return of the child. Protection of the child is the primary objective.

For the police and the Crown Attorney to do the optimum job in dealing with your complaint, it is essential that you provide all the information available to you at the time of the complaint and any new information that subsequently arises. Based on this information, the best possible decisions can be made in the interests of you and your child.

Communication and Compromise

As the foregoing information illustrates, legal approaches to dealing with international child abductions can be prolonged and expensive and are often inconclusive. Before pursuing legal solutions, you should carefully consider and explore alternative approaches, such as negotiation with the abducting parent. In some cases, it may be possible to have relatives or friends of the abductor assist you in establishing contact and help to promote a compromise. As well, community or religious leaders may be willing to intervene on your behalf.

Such actions might not produce immediate results but could reduce tensions, promote the welfare of your child and increase the chances of your being able to visit the child and participate in some way in decisions affecting his or her well-being. Sometimes, compromise and reconciliation will be the only solution.