

*file Internat'l
Child abduction*

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May 10, 1999

Hillary Rodham Clinton
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Mrs. Clinton,

I write to thank you for your participation in the issue of international parental child abduction. I am Tom Sylvester, the father of Carina Sylvester, now four years old, who was abducted to Austria from her home in Michigan on October 30, 1995 by her mother. I have been told by many sources that my particular situation is unique in the history of the Hague Convention. This is because even though I have a valid and final order from the courts of Austria, affirmed all the way through their Supreme Court, not only has Carina not been returned, but I have been able to see her for only 6 hours over the last three years. In fact those visits all occurred in 1997. I have not been able to see her, even armed with an application for access under Article 21 of the Hague Convention, at all since Christmas of 1997.

My attorney wrote to you on my behalf in July of 1996 asking for some assistance with this situation. A copy of that correspondence is attached. I do not recall receiving any response. At that time, there was still the possibility of penetrating the wall of Austrian nationalism that has surrounded my daughter. It is what has happened since that time that makes my situation unique. Carina's mother would not and has not voluntarily complied with the return order and my only chance at enforcement of the order by coercion failed. With the passage of time Carina's mother petitioned the trial court to reopen the Hague Convention case. As a result of this request and a coincident change of presiding judge, the trial court concluded that even though the order for return was valid and final, it would not be enforced as contrary to Carina's best interests. Carina's mother was then awarded custody in Austria. The Austrian Supreme Court affirmed these rulings.

Had there been some attentive response back in the summer of 1996 from any one of the hundreds of people and agencies I contacted requesting assistance, including the State Department and the Justice Department, perhaps Carina would now know that she has a father. Instead, my continual efforts to obtain even visits with Carina under Article 21 are rebuffed or must be adjudicated to the Austrian Supreme Court so that by the time an appellate decision is made on whether or not I can see my daughter, the time requested for the visit has passed and I must start the futile process again.

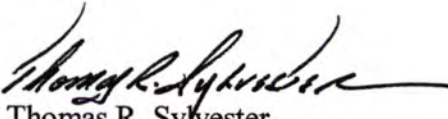
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On October 1 of last year I shared my story with the Senate Foreign Relations Committee at hearing at which Lady Catherine Meyer also testified. At that time the Attorney General promised to convene an interagency task force charged with reviewing both State and Justice's reactions to requests for assistance from parents like me. The Attorney General also promised the submission of a task force report after the first of this year. I am told that the report is not yet complete and I am uncertain whether this approach will be at all successful in assisting American parents with the return of their American children being held against court order abroad.

Even now, your personal intervention in my case would be of crucial significance on a human rights level. How can it be in Carina's best interest to be blocked even from seeing a father who adores her and thinks of her every minute of every day? How is her life bettered being reared without a father, believing that her father is absent from her life because he doesn't care enough to communicate with her? Who in the United States I protecting Carina from this abhorrent child abuse she is suffering at the hands of the mother sanctioned by the Austrian Courts?

I ask your personal intervention to rectify the virtual imprisonment of my daughter in Austria away from her father and rightful custodial parent. I have included with this correspondence a copy of a recent news account of my case published in *The Cincinnati Post*.

Sincerely,


Thomas R. Sylvester

Enclosures

file children's abduction



British Embassy
Washington

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15 April 2000

Dear Melanne,

As a result of the publicity in the US media for my case, a number of American parents - mothers and fathers - who find themselves in a similar predicament, have got in touch with me. There are striking features in common between these 30 or so American cases and my own: the problem country is overwhelmingly Germany; children have been either abducted or illegally retained; the German courts have not only not provided a remedy but have made the situation worse; the parents have been denied normal access to their children, in some cases for many years and in the most harrowing circumstances; and as a result the children have become deeply alienated from us, the victim parents.

The American parents and I recently formed a group called "Parents of Abducted Children Together" (PACT). We have received strong bi-partisan support in Congress. A concurrent resolution has been introduced on the floor of the Senate and the House. It condemns international child abduction and names in particular Germany, Austria and Sweden as failing to meet their responsibilities under the Hague Convention. The resolution has already been sponsored by over a third of the Senate and 126 House Members.

I know that the American parents would be enormously grateful if President Clinton were able to raise their cases when next he meets the German Chancellor. A mention of my own case would do no harm (!) although I am well aware that I am not an American citizen. The characteristic German reply to such approaches is that they are unaware of the cases in question and that the government cannot interfere with the independence of the courts. But given that serious miscarriages of justice are being perpetrated, leading to the denial of our basic human rights, this is a wholly inadequate reply.

I enclose the text of the concurrent resolution as well as the evidence I gave to the Senate Judiciary Committee on 27 October 1999. The latter sets out the issues in greater detail. I also enclose summaries of the most egregious American cases.



I have not informed the parents in question that I am sending their details to you, not to raise their hopes unduly. But at some point if the President does decide to raise their cases, I imagine that you would like to let them know.

In the meantime, if you need more information, please let me know.

With best regards,
Catherine

Lady Meyer