

Implementation of the Hague Convention in Japan

(Convention on the Civil Aspects of International Child Abduction)

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Ministry of Foreign Affairs of Japan

1. Overview of the Hague Convention

- **The Hague Convention came into force for Japan on April 1, 2014.**
 - The Convention was approved by the Diet on May 22, 2013, signed on January 24, 2014 and promulgated on January 29, 2014.
 - There are 103 Contracting States as of March 1, 2025.
- **Basic principle: the interests of children are of paramount importance in matters relating to their custody.**
- **Objects:**
 - a) to secure the prompt return of children wrongfully removed to or retained in any Contracting State
(Based on the view that it is desirable to resolve conflicts over children's custody in the state of their habitual residence.)
 - > principle: such children should be returned to the state of their habitual residence (except where it is established, among others, that children's return would expose them to physical or psychological harm)
 - b) to ensure that the right of parent-child access is effectively respected in Contracting States
- **Contracting States take all appropriate measures, and their designated Central Authorities co-operate with each other, in order to secure within their territories the implementation of the objects of the Convention.**

(Note) Nationalities of parents do not matter in both a) and b). The convention is applicable to children under the age of 16. The Central Authority of Japan is the Minister for Foreign Affairs.

2. Applications for assistance received by Minister for Foreign Affairs (by Country)

	Child's Return	Access to Child
Number of applications concerning children located in Japan	<p>222 (of which 194 were accepted)</p> <p>USA 69, Australia 16, Canada 9, France 9, Germany 9, UK 9, Brazil 6, Singapore 6, Hong Kong 4, Italy 4, NZ 4, Republic of Korea 4, Russia 4, Spain 4, Switzerland 4, Belgium 3, Hungary 3, Mexico 3, Sri Lanka 3, Turkey 3, Argentina 2, Ireland 2, Thailand 2, Colombia 1, Ecuador 1, Estonia 1, Fiji 1, Finland 1, Greece 1, Jamaica 1, Paraguay 1, Peru 1, the Philippines 1, Sweden 1, Ukraine 1 (Under examination 3, Applications dismissed etc. 25)</p>	<p>153 (of which 129 were accepted)</p> <p>USA 57, Australia 11, UK 11, Canada 7, Singapore 7, NZ 6, France 5, Germany 5, Italy 5, Switzerland 3, Mexico 2, Argentina 1, Belgium 1, Brazil 1, Colombia 1, Costa Rica 1, Czech 1, Estonia 1, Finland 1, Sweden 1, Thailand 1 (Under examination 3, Applications dismissed etc. 21)</p>
Number of applications concerning children located abroad	<p>198 (of which 172 were accepted)</p> <p>USA 37, Thailand 16, the Philippines 15, Brazil 14, Republic of Korea 12, Russia 9, France 7, Peru 7, Australia 6, Canada 5, Germany 5, UK 5, Hong Kong 4, Italy 4, Poland 4, Sri Lanka 4, Sweden 4, Singapore 2, Switzerland 2, Belarus 1, Czech 1, Denmark 1, Ecuador 1, Guatemala 1, Romania 1, Slovakia 1, South Africa 1, Spain 1, Turkey 1 (Under examination 4, Applications dismissed etc. 22)</p>	<p>51 (of which 46 were accepted)</p> <p>USA 9, Germany 5, Russia 4, Canada 3, Republic of Korea 3, Thailand 3, Australia 2, Ireland 2, the Netherlands 2, Singapore 2, Ukraine 2, UK 2, Denmark 1, Fiji 1, Hong Kong 1, Poland 1, Switzerland 1, Uruguay 1, Zimbabwe 1 (Applications dismissed etc. 5)</p>
Total	<p>420 (of which 366 were accepted)</p>	<p>204 (of which 175 were accepted)</p>
	<p>624 (of which 541 were accepted)</p>	

3. Applications for assistance received by Minister for Foreign Affairs (by fiscal year)

	FY 2014 (April 2014 – March 2015)	FY 2015 (April 2015 – March 2016)	FY 2016 (April 2016 – March 2017)	FY 2017 (April 2017 – March 2018)	FY 2018 (April 2018 – March 2019)	FY 2019 (April 2019 – March 2020)	FY 2020 (April 2020 – March 2021)	FY 2021 (April 2021 – March 2022)	FY 2022 (April 2022 – March 2023)	FY 2023 (April 2023 – March 2024)	FY 2024 (April 2024 – Feb. 2025)	Total
Total	113	69	55	42	56	48	59	29	46	52	55	624
(a)	26	19	23	19	18	27	23	11	23	17	16	222
(b)	18	21	17	15	26	11	20	11	12	23	24	198
(c)	55	20	12	6	10	8	13	2	8	8	11	153
(d)	14	9	3	2	2	2	3	5	3	4	4	51

(a) Number of applications seeking child's return from Japan to another Contracting State

(b) Number of applications seeking child's return from another Contracting State to Japan

(c) Number of applications seeking access to the child in Japan

(d) Number of applications seeking access to the child in another Contracting State

(Note) There was a large number of applications concerning access to the child ((c) and (d)) in the first year of implementation (FY2014). This is because applications for assistance seeking child's return are not possible for cases where the removal or retention of the child predated the entry into force of the Hague Convention for Japan, whereas applications concerning access to the child can be filed in such cases.

4. Achievements to date: (1) Assistance in child's return

Among all the accepted cases concerning child's return from Japan to another Contracting State, 138 cases have been concluded with the child's return being settled or carried out, or concluded not to return the child. Approximately 65% of these cases were resolved voluntarily or by mutual agreement (other than court orders), which is characteristic of Hague Convention cases settled in Japan.

Concerning the return from other Contracting States to Japan, 124 cases have been brought to conclusion.

Cases of Assistance in a child's return to a foreign state	194	
Ongoing cases	15	
Cases concluded with the child's return being settled or carried out, or concluded not to return the child.	138	
(breakdown)	Return	Non-return
1 Settlement through talks (including ADR etc.)	23	16
2 Court proceedings		
1) Conciliation (in-court mediation)	25	20
2) Amicable settlement	3	2
3) Court order	28 (Note)	21
Others (Applications withdrawn after decision to provide assistance)	41	

Note : 1 case involves ruling in lieu of conciliation.

Cases of Assistance in a child's return to Japan	172	
Ongoing cases	23	
Cases concluded with the child's return being settled or carried out, or concluded not to return the child.	124	
(breakdown)	Return	Non-return
1 Settlement through talks (including ADR etc.)	40	14
2 Court proceedings	38	32
Others (Cases dismissed by foreign Central Authorities)	25	

(2) Success rate in enforcement of court orders to return children

The Implementation Act of Japan was amended on April 1, 2020.

Before 4/2020 After 4/2020

Enforcement of court orders to return children from Japan	9 cases	7 cases
1) Children's return was carried out by enforcement	1 case	5 cases
2) Children's return was carried out by habeas corpus	3 cases	1 case
Success rate in enforcement	44%	86%

(3) Assistance in access

In most cases where assistance was granted to achieve visitation or contact, talks between the parties or court proceedings have taken place.

Among these cases, visitation has been arranged across borders, some with the help of visitation support institutions, and contact has been carried out via video calls, including the use of Online Mimamori Contact (monitored online contact assisted by experts) etc.