INTERNATIONAL CHILD ABDUCTION: THE ABSENCE OF RIGHTS OF ABDUCTED AMERICAN CITIZENS IN SAUDI ARABIA

HEARING

BEFORE THE

SUBCOMMITTEE ON HUMAN RIGHTS AND WELLNESS

OF THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

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INTERNATIONAL CHILD ABDUCTION: THE ABSENCE OF RIGHTS OF ABDUCTED AMERICAN CITIZENS IN SAUDI ARABIA

WEDNESDAY, JULY 9, 2003

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HUMAN RIGHTS AND WELLNESS,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:15 p.m., in room 2154, Rayburn House Office Building, Hon. Dan Burton (chairman of the subcommittee) presiding.

Present: Representatives Burton and Watson.

Also present: Representatives Ose and Maloney.

Staff present: Mark Walker, chief of staff; Mindi Walker, professional staff member and clerk; Nick Mutton, press secretary; Mary Valentino, legislative director; Jonathan Dilley, legislative assistant; Tiara Wuethrich, press assistant; Kelly Lorenz, Will Drinkwater, Rob Rubenstein, and Sheri Strickler, staff assistants; Allison Ket, Christopher Orlando, and Peter Hamilton, interns; Tony Haywood, minority counsel; and Jean Gosa, minority assistant clerk.

Mr. BURTON. We are waiting on a couple of other Members. We just had these votes, and so bear with us for a couple minutes and then we will get started.

The Committee on Government Reform will come to order. We have other Members that will be coming in, but we want to get started because Ms. Harty has limited time with us, and we want to make sure that she has a chance to hear some of the other witnesses before she leaves.

A quorum being present, the Subcommittee on Human Rights and Wellness comes to order. I ask unanimous consent that all Members and witnesses' written and opening statements be included in the record. And without objection, so ordered.

[The prepared statement of Hon. Elijah E. Cummings follows:]

Statement of Congressman Elijah E. Cummings
Subcommittee on Human Rights and Wellness
"International Child Abduction: The Rights of American Citizens in Saudi Arabia"

July 9, 2003

Thank you, Mr. Chairman.

Today we meet to continue the investigation started by the full committee into the matter of American citizens who have been kidnapped and held against their will in Saudi Arabia. Specifically, we meet to address the response of the U.S. and Saudi governments to this very important issue.

Child abductions occur throughout the world and are not limited to Saudi Arabia. However, since Saudi Arabia is not a party to The Hague Convention on the Civil Aspects of International Child Abduction, nor are there any treaties between the United States and Saudi Arabia dealing with international parental child abduction, we will primarily discuss the situation in that country.

Mr. Chairman, the problem of American children who live with their Saudi fathers and who, because of Saudi law, are not free to leave Saudi Arabia is unfortunately not rare. According to information given to the Subcommittee by the Department of State, 42 percent of American citizen abduction cases were to Saudi Arabia. These cases predominately involve fathers who abduct children and take them to Saudi Arabia in order to take advantage of a legal system that gives mothers, especially non-Muslim mothers, very few rights.

Ms. Sarah Saga will present her story about being held in Saudi Arabia and the ordeal she endured in trying to escape with her children. I look forward to hearing from Ms. Saga as well as the other witnesses during this hearing. Thank you for joining us today.

This hearing will bring much needed attention and focus to the problem of American children held in Saudi Arabia. By this committee and the media shining a spotlight on these parental abductions, I believe that we can bring this issue to the forefront.

Thank you.

Mr. BURTON. I ask unanimous consent that all articles, exhibits, and the extraneous or tabular material referred to be included in the record. And without objection, so ordered. And I ask that we allow Members who are not members of this subcommittee to participate in the hearing today and ask questions, because we have a number of members who are on the full committee that are very interested in this subject and would like to participate.

Before I start with my opening remarks, I would just like to say that yesterday I was trying to get Ms. Harty here to testify on the second panel. And there is a supposedly, I guess, a protocol which says that members of the administration have to go first, and I don't have any problem with that. The problem that I have is that in some cases where you want to set the stage for government executive branch officials to respond to questions, in some cases I think it is imperative that they hear the problem. Now, Ms. Harty has agreed to see a copy of the tape because she is going to have to leave about a quarter to 4, and she said that she would answer questions that are relevant to issues that come up after she leaves. And I appreciate that very much. But I would just like to say that I was disappointed that Mr. Kelly, who is head of the legislative affairs branch down at the State Department, was very short with this committee, and he indicated that the last time we had a hearing of this type that we beat up on the person from the State Department who was testifying. I recall that hearing very well, and we didn't beat up on him, but we did ask him many, many questions that he could not answer. And we asked him those questions maybe several times.

Now, I wanted to explain that to Mr. Armitage, and I called him two or three times yesterday, and he has been very helpful in the past but he wouldn't return my phone calls. So we kind of were stonewalled by the State Department yesterday, which I think is very disappointing. I do appreciate Ms. Harty, as I said before, being here, and she has been very helpful.

The one thing I think is very important for the State Department to realize and the executive branch, and we have talked about this under the Clinton administration, the Reagan administration, and others, the Congress of the United States has oversight responsibilities over the executive branch. It is our responsibility to make sure that the executive branch and parts of the executive branch don't screw up. And if they do, we have the obligation to bring them down here to the Capitol and ask them questions. And sometimes those questions are hard, and sometimes the appearance is that we are grilling them. And maybe we do get a little tough sometimes, and for that I will apologize. But it is our responsibility to do that. And the State Department and the people who work there for the most part, in fact for entirely, they are appointed officials. They do not answer to the electorate. We do. And if something goes wrong in this government, we, the elected officials who are responsible to the constituents of this country, have the responsibility to bring the appointed officials down here and ask them questions. They are not a law unto themselves. They work for the people just like we do, but we are answerable to the people. And for that reason we have the responsibility to ask these questions.

And I wanted to get that clarified today. And I hope, Ms. Harty, when you go back, you will tell Mr. Armitage, for whom I have great respect, because he has contacted me in the past and we have worked well together on this and other issues on issues like this in the past, tell him I am disappointed he didn't call me back yesterday, and I presume it is because Mr. Kelly told him what a horse's patootie I was. And so you tell Mr. Kelly also that. He is a former Marine and I don't want to fight with him because he could probably whip me, but tell him that he like everybody in the executive branch is answerable to the Congress and our oversight responsibilities, and we need to get along. OK? Thank you very much.

Now I will go on with my opening statement.

While I was chairman of the full Committee on Government Reform I initiated an investigation into the illegal kidnappings of American citizens to Saudi Arabia. There are several facts regarding Saudi Arabian law and culture that make these international child abduction cases noteworthy.

First, Saudi law gives Saudi men extraordinary power over their wives and children. A Saudi man literally owns his wife and children. As a result, the wife or child of a Saudi man may not leave Saudi Arabia without his prior written permission. There have been many cases in which adult female American citizens have been unable to leave Saudi Arabia because they have not been able to obtain the written permission of their male guardian, regardless of their constitutionally guaranteed rights as American citizens.

Second, Saudi Arabia is not a signatory nation to the Hague Convention on the Civil Aspects of International Child Abduction. The Hague Convention treaty puts into place general guidelines regarding how to handle international child abduction and international custody disputes. Accordingly, there are no legal standards governing the return of kidnapped children from Saudi Arabia, and there should be.

Our investigation from the last Congress led to numerous hearings, several legislative proposals, and even a congressional delegation to Riyadh, Saudi Arabia in August 2002.

Although it has been nearly a year since that visit, I will never forget the tears on the faces of American women who literally risked their lives to come and talk to us. They were scared to death. We had women tell us that they were afraid their husbands would kill them, beat them half to death, or worse if they found out they talked to American Congressmen. Women told me: Put us in a box with our kids and put us in the belly of the plane, anything to get us out of here because of what's going on. And those are the kinds of things that you never forget, especially when you leave them behind and you know there is not much you can do about it. And I won't forget, also, how terrified they were they might face death or physical torture if they were anywhere near the U.S. Embassy because of their husbands worried about them trying to get away.

These women live in a constant state of fear, and it is time that the American government does something about it. And Ms. Harty is going to talk to us about that today, and so will our witness who has been able to get out of Saudi Arabia.

Because of the attention that the issue of international child abduction has received since we started this investigation, we have seen some marked improvements in the way that these situations are dealt with. Before, the custodial American parents were given no hope that their sons and daughters would ever be returned to them. Now we are starting to see some light at the end of the tunnel, although we have quite a ways to go before we completely emerge from the darkness. And we had some people who had their children kidnapped years ago, like my good friend back there, and they would not fall under new rules and guidelines that have taken place. And we are going to ask questions about them today and how we can do something to allow them to visit the United States and, if they choose to stay, stay here; if they choose to go back to Saudi Arabia, to go back there.

Ms. Sarah Saga is here with us today and who until recently was held in Saudi Arabia against her will since she was 5 years old, and now she is 24. Just a month ago, she courageously risked her life and fled to the U.S. consulate in Jeddah, Saudi Arabia with her two children, Ibrahim and Hanin. Ibrahim is 5 years old and her daughter is Hanin, she is 3 years old.

After a 10-day stay in the U.S. consulate, Ms. Saga was able to secure safe passage for herself back to the United States to be with her mother, Ms. Debbie Dornier. Up until June 24th of this year, they had not seen each other for nearly 20 years. She was kidnapped, couldn't see her child for 20 years. Think about that, if you have kids. Unfortunately, the reunion was bittersweet for Ms. Saga who, in exchange for her freedom, had to leave behind her two children in the custody of their Saudi national father.

Ms. Maura Harty, the Assistant Secretary of Consular Affairs for the Department of State, is also here with us today. Both she and Secretary of State Colin Powell have been working hard to bring back the American citizens who are being held against their will. I had the privilege of talking to Ms. Harty when she was about to be appointed to this position, with her and Colin Powell, and she assured me that she would do everything in her power to help bring American children back and help with this problem. So far she has been working in that direction, and we do appreciate that. She is here to update this committee on how the Department of State is handling these international child abduction cases.

Also in attendance is Mr. Stuart Verdery, the Assistant Secretary of Policy for the Department of Homeland Security, and he is here to observe our proceedings today, and we appreciate that. The reason he is here is because we are going to be talking about visas and what kind of pressure we can put on Saudis and their extended families who are participants in the kidnapping of American children and what we can do to put pressure on them to bring these children back.

We are also kind of surprised but happy to have scheduled a representative of the Saudi Embassy. Ms. Manal Radwan is scheduled to talk with us about the Saudi policy on the abductions of American citizens to Saudi Arabia. Up until this point, we couldn't get the Saudi Embassy to respond or participate, so we are glad that she is here today, and we will listen with interest to her testimony and have questions for her as well.

Ms. Radwan will hopefully explain why the Saudi Government has not been more helpful in assisting the United States in these cases for years and years and years and what steps they plan to take to ensure the safe return of American citizens who wish to leave Saudi Arabia. We are also very interested to talk with her about the possibility of Saudi Arabia becoming a signatory nation to the Hague Convention, and we think that would be a step in the right direction to prove that the Saudi Government wants to keep their commitment to resolving these cases.

The solution is clear. It is imperative for the U.S. Congress and our Department of State to work together to bring the necessary diplomatic and legal pressure to bear that will guarantee the safe return of these U.S. citizens who are being held against their will.

It is also time for the Kingdom of Saudi Arabia to join the 21st century and finally become a signatory nation to the Hague Convention. I believe that if we can take these two important next steps, we will be on our way—a long way from the conclusion of it, but we will be on our way to resolving many of these heartbreaking international child abduction cases.

As many in the audience know now, this has been a high profile issue in the media. Just this past 4th of July weekend, both 60 Minutes and the John Walsh Show reran segments showcasing the investigation. And I would like to end my comments by showing a 2.5-minute excerpt from our previous hearings which will set the stage for our hearing today, because I think it says in 2.5 minutes what we're up against and what these parents have to deal with. With that, if you would roll the tape, we would appreciate it.

[Tape played.]

Mr. BURTON. That gives you the flavor of the hearing today.

[The prepared statement of Hon. Dan Burton follows:]

Opening Statement
Chairman Dan Burton
Subcommittee on Human Rights & Wellness
Government Reform Committee
"International Child Abduction:
The Absence of Rights of Abducted American Citizens in Saudi Arabia"
July 9, 2003

While I was Chairman of the Full Committee on Government Reform, I initiated an investigation into the illegal kidnappings of American citizens to Saudi Arabia. There are several facts regarding Saudi Arabian law and culture that make these international child abduction cases noteworthy.

First, Saudi law gives Saudi men extraordinary power over their wives and children. A Saudi man literally owns his wife and children. As a result, the wife or child of a Saudi man may not leave Saudi Arabia without his prior written permission. There have been many cases in which adult female American citizens have been unable to leave Saudi Arabia because they have not been able to obtain the written permission of their male guardian, regardless of their Constitutionally guaranteed rights as American citizens.

Second, Saudi Arabia is not a signatory nation to the Hague Convention on the Civil Aspects of International Child Abduction; the Hague Convention treaty puts into place general guidelines regarding how to handle international child abduction and international custody disputes. Accordingly, there are NO legal standards governing the return of kidnapped children from Saudi Arabia.

Our investigation from the last Congress led to numerous hearings, several legislative proposals, and even a Congressional Delegation to Riyadh, Saudi Arabia in August of 2002.

Although it has been nearly a year since that visit, I will NEVER forget the tears on the faces of the American women who literally risked their lives to come and speak with me. Nor will I forget how terrified they were of the physical torture or even death that they might face if their Saudi husbands found out that they had gone to or been in touch with the U.S. Embassy. These women live in a constant state of fear, and it is time that the American government did something about it.

Because of the attention that the issue of international child abduction has received since we started this investigation, we have seen some marked improvements in the way that these situations are dealt with. Before, the custodial American parents were given NO hope that their sons and daughters would ever be returned to them. We are now starting to see some light at the end of the tunnel, although we have quite a ways to go before we completely emerge from the darkness.

Ms. Sarah Saga, who is here with us today, who until recently was held in Saudi Arabia against her will since she was 5 years old. Ms. Saga is now 24 years old. Just a month ago, she courageously risked her life and fled to the United States

Consulate in Jeddah, Saudi Arabia with her two children, son Ibrahim age 5, and daughter Hanin age 3.

After a 10-day stay in the U.S. Consulate, Ms. Saga was able to secure safe passage for herself back to the United States to be with her mother, Debbie Dornier. Up until June 24th of this year, they had not seen each other for nearly twenty years. Unfortunately, the reunion was bittersweet for Ms. Saga, who in exchange for her freedom, had to leave behind her two children in the custody of their Saudi-national father.

Ms. Maura Harty, the Assistant Secretary of Consular Affairs for the Department of State, is also here with us today. Both she and Secretary of State Colin Powell have been working hard to bring back the American citizens who are being held against their will in Saudi Arabia. Ms. Harty is here to update this Committee on how the Department of State is handling these international child abduction cases.

Also in attendance is Mr. Stuart Verdery, the Assistant Secretary of Policy for the Department of Homeland Security, who is here today to observe our proceedings. I would like to take this opportunity to thank him for taking time out of his busy schedule to observe our hearing today.

A representative of the Embassy of the Royal Kingdom of Saudi Arabia, Ms. Manal Radwan, is also here to talk with us about the Saudi policy on the abductions of American citizens to Saudi Arabia. Ms. Radwan will hopefully explain why the Saudi government has not been more helpful in assisting the U.S. in these cases, and what steps they plan to take to ensure the safe return of American citizens who wish to leave Saudi Arabia. We are also very interested to talk with her about the possibility of Saudi Arabia becoming a signatory nation to the Hague Convention, which is the crucial next step for the Saudi government to take in order to prove their commitment to resolving these cases.

The solution is clear: it is imperative for the United States Congress and our Department of State to work together to bring the necessary diplomatic and legal pressure to bear that will guarantee the safe return of these U.S. citizens who are being held against their will.

It is also time for the Kingdom of Saudi Arabia to join the 21st century and finally become a signatory nation of the Hague Convention. I believe that if we can take these two important next steps, we will be well on our way to resolving many of these heartbreaking international child abduction cases.

Mr. BURTON. And before I go to our first witness, Ms. Harty, Mrs. Maloney, do you have any comments you would like to make?

Ms. MALONEY. Thank you, Mr. Chairman. And I really want to join many of my colleagues in congratulating you on your leadership on this important issue, on holding numerous hearings, on legislation that I have joined you on, and particularly going to Saudi Arabia and meeting with these families. I would just like to put my remarks in the record, but I want to really particularly thank Sarah Saga and her mother Debbie Dornier, who will be testifying today. And it is very difficult to speak on personal tragedies such as those that they have experienced. And I would like permission to place in the record an account that was in my home paper entitled "Saudi Hell." And she is quoted as saying, 11I can describe my life in one word, hell." And it goes on with the story that she will tell us about today.

I really feel that we need to take stronger measures. We need more than an assurance that they will sign the Hague Treaty. Saudi Arabia should be a signatory, but also using the tools that we have to deny visas to families that participate in this type of cruel treatment and their families.

I would add, Mr. Chairman, that the new Millennium Account which is moving forward, which is a good initiative, it will strengthen our foreign aid policies and they have a set of criteria, and I feel strongly that this could be part of the criteria that we add to the new Millennium Challenge bill, and that is how are women treated in these foreign countries before they receive the consideration, whether it is aid or visas, from the U.S. Government.

We do have the power to make these changes, and I feel that you have worked hard in trying to negotiate agreements, and they don't seem to be listening. So I really feel that I would like to join you in stiffer legislative laws denying visas, denying aid, possibly even sanctions if countries will not release American citizens and that we need to really look at the whole treatment of women within countries before we provide the privileges that we provide through access to our own country, through our aid, through our financial and political and other programs that we place abroad.

But I congratulate you for your work on this. I request permission to put my full lengthy statement in the record.

This is wrong. It should be changed. And I look forward to this hearing. Thank you.

[The prepared statement of Hon. Carolyn B. Maloney follows:]

2pm
2154 RHOB

Statement of Congresswoman Carolyn B. Maloney
Subcommittee on Human Rights and Wellness
House Committee on Government Reform Hearing
"International Child Abduction: The Absence of Rights of American Citizens in Saudi Arabia"
July 9, 2003

Mr. Chairman,

I would like to thank you
for continuing to address
the issue of international child
abduction in Saudi Arabia.

I am not a member of this
Subcommittee, but this issue
is of great importance
to me and felt it necessary
to attend today's hearing.

This is a serious issue that
requires focused attention.

I would also like to thank
our witnesses, particularly
Ms. Sarah Saga and her mother,

Mrs. Debbie Dornier.

We have had several hearings
on this topic, and I know
that victims of abduction
have the toughest testimony.

It is personal and requires a
great deal of strength to report.

I thank you for your willingness
to share your story with us.

Last Congress,
I was the lead Democrat
on Chairman Burton's resolution
(HCONRES 516)
that expresses the sense of Congress
that U.S. diplomatic and consular
missions should provide the
full and complete protection
of the United States to certain
citizens of the U.S.

living abroad.

I think it is an obvious statement
of purpose,
but as we will hear,
U.S. citizens have been
denied their rights and
basic protections in countries
such as Saudi Arabia.

It is a sad truth that many
abused American women
in Saudi Arabia are discouraged
from seeking assistance from
the United States Embassy
or consulate in escaping with
their children who have
been kidnaped.

They are told that nothing can
be done for them.

It is my firm belief that a

primary purpose of the
United States diplomatic
missions is to protect the
interests of U.S. citizens,
most importantly,
those citizens who are victims
of international child abduction,
domestic violence,
or sexual abuse.

The fact that the U.S. has
denied American citizens
these protections is
of great concern.

Perhaps of equal concern
is the fact that the Kingdom
of Saudi Arabia is not a
signatory to the Hague Convention
on the Civil Aspects of
International Child Abduction.

We have been informed that

the Kingdom has pledged its
assistance with these cases
and hope that this
includes a commitment to
signing the Hague Convention.

I believe that we must focus on
mechanisms that are already
in place and the Convention
could serve as a framework
to work from.

I look forward to hearing
about the progress at the
Department of State as well
as at the Department of
Homeland Security.

I have said it before,
but it needs to be repeated,
so we do not lose sight of the
importance of this issue:
We are talking about real people,

real daughters and sons
who are separated from a parent.

Each time a parent abducts,
or wrongfully retains a child
from his or her home,
and prevents the child from
having a relationship with
the other parent,
the trauma to the child
is immediate and compounded
each day the child is not
returned home.

I hope to hear how this
problem will be solved and
how children can be reunited
with both of their parents.

Again, I'd like to thank
Chairman Burton and
Ranking Member Watson
for highlighting this important issue.

Thank you.

Submitted for the record by Congresswoman Carolyn Maloney
07/08/03
Human Rights & Wellness
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FREE NEW YORK POST UMBRELLA!

NEW YORK POST
ONLINE EDITION

MOM'S SAUDI HELL

By ED ROBINSON and CYNTHIA R. FAGEN

SARAH SAGA

June 21, 2003 -- A desperate American mother of two who escaped from her tyrannical Saudi husband and sought asylum at a U.S. consulate six days ago has decided to stay put until her children can come home with her.

Sarah Saga, who turned 24 yesterday, fled with her two children, Ibrahim, 5, and Hanin, 3, from a prison-like home life with her husband and his family in a desperate bid for freedom.

"I can describe my life in one word. Hell," Saga told The Post in a telephone interview from the consulat

"All I want for my birthday is, I wish to go to my mom, to my children and have my dreams of freedom come true.

Saga had initially agreed to leave her kids with a trusted member, but feared she would never see them again be Saudi law, men have custody over the children, even if t American citizen.

The fear is not unfounded.

Saga's mother, Debbie Dornier, has lived that same nigl

Saga was kidnapped by her own Saudi father in 1985 when she was 5 and grew up under th Saudi kingdom, where men are dictators of their home and the law backs them up.

Dornier, in New York yesterday to call attention to her daughter's plight, said she had no choice abandon Saga to her ex-husband in Saudi Arabia under threat of Sarah's death.

"My ex-husband said: 'I will slit her throat and you will never see her again. I will kill her rather t have her.'

"I had to remain silent so she could live. And I did that. I never saw her again.

"For years I beat myself over that."

"Then three years ago, my daughter risked everything to track me down through the Internet," who now lives in Fresno, Calif.

Saga grew up in Jeddah and when she was 17 was forced into an arranged marriage that she

She said she was mentally and physically abused and kept a prisoner in her room for several y

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barely enough to eat.

"They found her with a picture of me in her purse," Dornier said, "so she was punished."

It's not easy for a woman to do anything without permission from a man. So Saga plotted her b telling her husband she wanted to visit her sickly grandfather, who happened to be near the U.

Under cover of night, she barged through the consulate doors seeking freedom. But that might easily.

The Saudi custom is to allow her freedom - but only if she gives up the children.

"I told her, Sarah, if you leave those kids there you will never see them again," Dornier said. "I to lead the life I did and you will live the life of dog."

Returning to her Saudi family is not an option for Sarah. "If she went back to her family, they w Dornier said.

Inside the consulate, Saga said, she experienced her first taste of independence. "I am free to children. I watch them play basketball everyday," she said.

Saga will remain at the consulate as U.S. State Department officials and the Saudi governmen her release.

"I know the American government and the American people want to help me. They are wonder

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Mr. BURTON. Thank you, Mrs. Maloney. And without objection, your entire statement will be in the record.

Mr. Ose.

Mr. OSE. Thank you, Mr. Chairman. I have but a few remarks. I note here that the title of this hearing is focused on Saudi Arabia. But just for the record, Saudi Arabia is not the only place where this kind of behavior exists affecting American families. This is hopefully but the most recent of hearings; and those other countries should also be subjected, if you will, to the kind of scrutiny we are going to undertake today.

Mr. BURTON. Thank you.

Ms. Harty, we are now ready to hear your testimony and grill you. We are kidding. Just ask you some questions. Would you please rise so you can be sworn?

[Witness sworn.]

Mr. BURTON. Do you have an opening statement?

Ms. HARTY. I do, sir.

Mr. BURTON. Proceed.

STATEMENT OF MAURA HARTY, ASSISTANT SECRETARY, CONSULAR AFFAIRS, U.S. DEPARTMENT OF STATE

Ms. HARTY. Thank you, Mr. Chairman, for the opportunity to be here today to report on an issue that is one of the most important matters before me and that engages me on a very personal level. That is the protection of American children abducted or wrongfully retained abroad by their noncustodial parents, and specifically children abducted to or wrongfully retained in Saudi Arabia.

Before anything else, Mr. Chairman, I want to say that the U.S. Congress has been extremely helpful to the Department in securing the return of abducted and wrongfully retained children. You, Congressman Burton, and many others have backed our efforts to recover children. You have raised cases in your travels abroad where you have had access to the highest levels of foreign leadership. Your willingness to do so demonstrates convincingly to foreign governments that the United States is totally committed to the return of our most vulnerable citizens.

Since taking office last November, I have made two trips to Saudi Arabia, both of them focused on the issue of international parental child abduction and the protection of American citizens. I will return to Saudi Arabia as often as necessary to ensure continued progress. And we have made some progress. Since January, seven children abducted to or wrongfully retained in Saudi Arabia are back in the United States. Three more are expected to return shortly. An American mother and her five children, all residents of Saudi Arabia, are also expected to return soon.

In keeping with Saudi Government commitments to us to facilitate parental visits to the Kingdom of Saudi Arabia, one mother visited her daughter this spring and others plan to do so in the coming months. And also in keeping with Saudi Government promises that American women will be allowed to leave the Kingdom despite objections made by their male guardians, one American woman was granted an exit permit and departed Saudi Arabia last month; two other American women have been granted exit permits and are free to leave Saudi Arabia when they choose. A third is

scheduled to receive a permit this week and to depart shortly for the United States. Two more American women have assurances that, should they wish to leave, such permits will be granted immediately. We will certainly followup on that should they wish to leave.

We meet on a regular basis with Saudi representatives here in Washington and in Riyadh to review cases based on left behind parents' requests and to seek systemic solutions. We have made clear to the Government of Saudi Arabia that we will not be satisfied with anything less than the children's return.

The Saudi Government has expressed its commitment to work with us on this very important issue. We are now working to develop common ground for a bilateral arrangement that could help parents gain regular access to their children even as they pursue the children's return simultaneously. With the Saudi Government, we are exploring preventive measures that will help avoid this tragedy in the future, including information and other outreach efforts. We have posted on our Web site an information sheet with the implications of entering into a marriage with someone from a country such as Saudi Arabia where Islamic Sharia law serves as the basis for family law.

Ambassador Jordan and our colleagues at Saudi posts have worked with dedication and determination to assist American parents and their children. I doubt that anyone in this room does not know of the pain of one young American mother in Saudi Arabia who sought and received refuge in our consulate in Jeddah.

Ms. Saga's story illustrates the painful reality in these cases and demonstrates how diligently we work to protect Americans abroad. Unfortunately, it also displays the limits of our ability to deliver what is always our goal, the ability of the U.S. citizen parent to return to the United States with his or her children.

In Ms. Saga's case, we provided her immediate and unquestioned protection when she needed it and the basic support she and her children needed in a safe place to make the difficult decisions that ultimately were hers to make. We will remain engaged on Ms. Saga's case and in the cases of all American parents who need us in these terribly difficult situations.

We have made progress, sir, but we recognize that there is still very much more to be done. I want to assure you today that we will never lose sight of the goal nor of the fact that so long as one child is wrongfully retained or abducted abroad our job is in fact incomplete.

As Assistant Secretary of State for Consular Affairs, the protection of American citizens is my top priority bar none. I give special emphasis to the protection of our children and particularly those who are the victims of international parental child abduction or wrongful retention. I appreciate the opportunity, Congressman, to testify today, and I look forward to answering your questions.

[The prepared statement of Ms. Harty follows:]

Hearing before the House Committee on Government Reform
Subcommittee on Human Rights and Wellness
"International Child Abduction: The Rights of Abducted American Citizens Being Held in Saudi Arabia"
Testimony of Assistant Secretary of State for Consular Affairs
Maura Harty
July 9, 2003

Mr. Chairman, Members of the Subcommittee:

I am pleased to be here today to report on the work done by the Department of State in the area of international child abduction. I believe that you can understand a lot about a society by the way it treats its most vulnerable members and I think that the time, energy, and attention devoted to this problem at the Department of State and within the U.S. Government reflects well upon the United States as a society. We at the Department of State are rapidly approaching the tenth anniversary of the creation of the Office of Children's Issues – where we handle matters of international adoptions, abductions, and the return of children to their habitual residence under the Hague Convention. It seems an appropriate time to take stock of how far we have come in helping parents in this country and where we would like to go in the future.

Before I do that, however, I would like to note that the U.S. Congress has been of inestimable help to the Department in securing the return of abducted and wrongfully retained children from overseas through both your institutional and your personal efforts. The bill popularly known as the "Amber Alert" law, among its many other accomplishments, made the attempt to abduct a child from the United States a crime, while the International Parental Child Abduction Prevention Act of 2003 expands the Department's authority to refuse or revoke U.S. visas for certain family members of non-U.S. citizens who abduct American children. These are tools that add new teeth to my ability, and that of my officers in Children's Issues and in consular sections around the world, to raise the stakes for those who would defy a U.S. court order and kidnap their children from the United States. I also want to mention those members of Congress and specifically many members of this very committee who have backed our efforts to recover children abducted to foreign countries. You have readily raised these cases in your travels abroad, where you have access to the highest levels of leadership in the countries where many of our children are wrongfully retained. Your willingness to do so demonstrates convincingly to foreign governments that the United States is totally committed to the return of our most vulnerable citizens. I thank you for your willingness to deliver this message; it really helps us at the State Department to have your support.

While the work I do in Consular Affairs is all significant, few issues are as meaningful to me personally as that affecting abducted children. In January, I traveled to Saudi Arabia, Lebanon and Syria and raised the issue of international parental child abduction with senior government officials in each country. Since I made that trip we have seen seven Americans returned to the United States from those three countries. I

visited Saudi Arabia again in April to emphasize the same concerns. We meet regularly with Saudi officials, both in Washington and Riyadh, to seek solutions in specific cases and to find more systematic ways to address the problem of international parental child abduction. I hosted a "Town Hall" meeting on February 24 that was attended by over 60 left-behind parents. Parents identified ways they think we can serve them better, and the meeting was extremely useful. We are planning a second such meeting for later this summer.

Results often are slow in coming and the wait for the left behind parent excruciating, but our efforts can produce success. In the month of April of this year, we have seen fifteen children returned from eight different countries, including two from Saudi Arabia. In May of this year, an equal number of children were returned to the United States from abroad. I am certainly not here to claim personal credit for these cases. Where there is credit to be taken it properly belongs to the determination of the left behind parents to never abandon the fight to regain their children no matter what the odds. I do however want you to know that we never lose sight of the goal, nor of the fact that, so long as one child is wrongfully retained abroad, our job is incomplete.

We all know that institutional efforts are the most effective over time, which is why I began my testimony noting the ten years since the founding of the Office of Children's Issues. Since the U.S. became party to the Hague Convention on the Civil Aspects of International Child Abduction in 1988, the Department of State has worked to improve the Convention's implementation in this country. During the first year we created a new child custody division to coordinate our work in this area. In 1994 we consolidated our efforts on behalf of children abroad in our Office of Children's Issues, now an office of 28 people who devote all their time to helping in the international adoption process and assisting in the return of children wrongfully taken and/or retained abroad. Over the years, we have expanded our cooperative arrangement with the National Center for Missing and Exploited Children, formalized in an agreement between the Department of State, the Department of Justice, and NCMEC and signed on September 1, 1995, to provide additional assistance for parents and children in all international child abduction cases. They are our partners and our friends; NCMEC is an extraordinary organization.

When a parent takes or keeps a child from his or her home, and prevents the child from having a relationship with the other parent, the trauma to the child is immediate and compounded each day the child is not returned home. International child abductions are often complicated by the fact that many abducted children are from multi-cultural and multinational families. The children themselves are often citizens of both the United States and the country to which they were abducted. Our position, which I have made clear in my meetings with foreign government officials, is that a child abducted from the U.S. in violation of custody rights recognized under U.S. law should be returned. The taking parent should not be allowed to benefit from the abduction. Ultimately, however, the fate of these children is decided by the courts or other authorities in the countries to which they have been abducted, or in which they have been wrongfully retained. U.S. court orders, as we all know, are often not enforceable abroad. Even when everyone

involved is a U.S. citizen, these cases are often difficult to resolve once the child has been removed from the United States.

The Hague Convention

Recognizing that abductions are individual tragedies that the courts of most countries legitimately wish to resolve in good faith for the benefit of the affected children, the United States has long taken a lead in creating a mechanism for the return of children abducted internationally. The United States was instrumental in the negotiation of the Hague Convention. The Convention provides a civil legal mechanism in the country where the child is located for parents to seek the return of, and access to, their child. It applies only to cases where children habitually resident in a Hague Convention country have been abducted to, or wrongfully retained in, another country party to the Convention. The Bureau of Consular Affairs' Office of Children's Issues acts as the Central Authority for the Convention in the United States.

Under the Convention, a Hague proceeding does not decide custody; instead, it decides in which country a custody determination should be made. A Hague proceeding should, with very few and limited exceptions, result in an order from the court where the abducted child is located for return to the country of habitual residence so that the parents may pursue the resolution of custody there. While the Convention is far from 100% successful, it does provide a legal channel for left behind parents in a foreign court, and results in children's return to the United States. We also believe that the existence of the Convention's return mechanism has deterred an untold number of abductions.

Approximately 60% of the cases in which we provide assistance are now covered by the Convention. When the U.S. joined the Convention in 1988, only nine other countries were party. Today the Convention is in effect between the U.S. and 52 other countries. We encourage countries which embrace the Convention's basic principles to become members as the best possible means of protecting children from the harmful effects of abduction. As we look to improve the Convention's effectiveness, we must remember the many parents who wish that they had even this less-than-perfect mechanism to seek return of their children.

While The Hague Convention has facilitated the return of many children to the United States, and while it is a vast improvement over the lack of any international mechanism whatsoever, it is an imperfect instrument. The Hague Convention does not guarantee a satisfactory result for every left-behind parent. Compliance with the Convention varies among foreign jurisdictions. Even when the left-behind parent has filed an application in a timely fashion, hired legal counsel, and literally done everything "right", that parent, and the United States, may be bitterly disappointed with the result. There have been some decisions by foreign courts in Hague cases with which we do not agree. However, these decisions are made by independent judiciaries in independent sovereign states. The Hague Convention cannot make a biased judicial system fair, or a nationalistic judge more objective, nor can it remove gender bias from a society or its judicial system.

While the Hague Convention does not guarantee the return of all abducted or wrongfully retained children, the Convention provides us an invaluable tool that is absent in our efforts to resolve abduction cases from countries such as Saudi Arabia that are not Hague signatories and whose judicial system, cultural traditions, and family law are often radically different from our own. The Department, when dealing with such countries, works with other federal and state agencies and the foreign governments concerned to explore ways to recover the children. This may include withholding or revoking the U.S. visas of abducting parents, people who support them, and their family members; revoking U.S. passports at the request of federal law enforcement authorities if a federal warrant is issued for the arrest of a U.S. citizen; and pressing foreign governments for assistance in returning children and either deporting or extraditing their abductors. We also seek to visit abducted children to verify their well- being and facilitate communication between the parents. In some countries with legal systems and practices that vary drastically from those of the U.S., we are exploring the viability of bilateral consular arrangements that could improve mediation and access assistance provided to parents, even as we continue to seek mechanisms for a child's return. We are working to expand and revise our Standard Operating Procedures to provide more comprehensive and consistent service to left-behind parents. We will soon establish a Prevention Unit within CA/OCS/CI to focus more attention on this important function.

Let me be completely clear on the main question here: we see no difference between the rights of left behind parents in cases involving Hague and non-Hague countries and our aim is always the same, the return of the child to the United States. We must, however, work in the manner most likely to be effective in pursuing that aim and we should not neglect those measures that, while they fall short of meeting our ultimate goal of return, nonetheless enable the left behind parent to have a place in their child's life. Children, as they grow older, are far more likely to exert useful pressure towards reunion with the left behind parent if that parent is known to and important to them.

Let me close my discussion of international abductions with an observation that is perhaps obvious, but whose implications are not necessarily self-evident: every situation in this area is unique and there is no tailor-made solution that should be applied across the board. The legal tools we have at our disposal are vitally important and we will not hesitate to use them when we, and the left behind parents, believe them to be relevant and likely to promote a positive outcome. Often, however, the most effective way to handle these cases is through the consistent use of our most vital resource: the persuasive power of our diplomatic efforts abroad. Our Ambassadors and their staff will push foreign governments to recognize the rights of left behind parents, facilitate visitation, help advance Hague compliance where that remedy is available, and constantly remind foreign interlocutors that the U.S. government cares about, supports, and works for the rights of left behind parents whose children have been wrongfully removed from the U.S. and retained abroad.

Mr. BURTON. Thank you, Madam Secretary. You said that there were seven children returned?

Ms. HARTY. Yes, sir.

Mr. BURTON. Do you have the names of those children?

Ms. HARTY. I do, sir. I checked this morning, actually, to be sure and safe. I have them here, but we don't have Privacy Act waivers for all of them.

Mr. BURTON. So you don't want to read them out here?

Ms. HARTY. I do not want to read them here now, sir, but I am happy to give them to you right after this hearing if you would like.

Mr. BURTON. Well, let me ask you about some cases that we——

Ms. HARTY. And if you would like, sir, I can actually go through the circumstances of the cases without the names.

Mr. BURTON. Well, we will get to that in a minute because I am sure that the Saudis are trying to put as good a face on this as they possibly can. And they may have done some things that have been beneficial to some people, but I want to ask about some cases that we asked them about when we were over there that were not resolved.

And Pat Roush is in the audience today. She has children. When we went over there, her children were sent to London—they are adults now—with Saudi representatives as well as their Saudi husbands. And after they were talked to by some of the media and some people in the Embassy in London, they put on their hijabs and sat in the back of the room and asked their husbands what they should do. And so to say that they were free to express their feelings when they were in London is erroneous. I think they were under the control of those people. And it was very disconcerting to me, because we went over there in part to see those two ladies and they just seemed to go to London. They hadn't been out of the country for years. They went to London at the same time we went there on a vacation. And that is when they went to the Embassy. So those are the kind of things that have happened with the Saudis in the past and that is why we have questions about their sincerity.

Let me ask you about Samiah Seramur. She had three children, Safiah, Maha, and Faisal. They were abducted by her husband. Maha is the only child that was able to escape with the assistance of hired men last year, and she spoke to this committee in I think our last hearing. What about her other kids, the other kids?

Ms. HARTY. As I understand it, sir, the parents are not talking to one another right now. We tried when we were last in Saudi Arabia to work to have the taking parent, the father, reach out in some way. Each parent has a child right now. Neither of those children is in a situation that is good for them.

Mr. BURTON. Well, let me just interrupt you. Maha was here and I talked to her personally. There is no question. She said she was living in hell over there, she was mistreated, and she wanted to get out of there and she risked her life to do it and it was on 60 Minutes. The whole thing was, so I mean it is all documented. Her brother and sister, she was afraid to wake them up because she was afraid all three of them would get caught and she wouldn't be able to get away, and so she left them behind. But she said both her brother and sister want to get out of there, they want to come

to America. They were abducted. And what I am asking is, obviously the father is not talking because he would not let the mother talk to the children at all and he still won't. But to say that it is a 50/50 issue just isn't the case.

Ms. HARTY. I'm sorry, sir. If I implied it was a 50/50, it is not.

Mr. BURTON. Well, I don't want there to be any misunderstanding. The young lady wanted to get away. She is here. She is 17 years old, or 16 years old right now, and she is tickled to death to be here.

Ms. HARTY. Yes, sir.

Mr. BURTON. And the other two want to get here. What about them?

Ms. HARTY. Sir, we are going to continue pressing the Saudi Government on that case as in all other cases. We haven't had success on that one yet, although what we try to do in so very many of these cases is to seek a way for the parents at least to communicate so that the children can speak to their parents. Communication is never a bad thing. We are not even at that point with this case. Yes, we are very frustrated by it, sir, and not a day goes by that we don't think about these cases. It is not a good situation, it is not ideal, and we will not stop trying.

Mr. BURTON. We are going to hear in the next panel, and I hope you are still here to hear it, that the young lady who was released from the Saudi Government, by the Saudi Government to come to the United States said that her father would kill her if he saw her. And I talked to the Ambassador today, he was kind enough to come by. And I have great respect for the Ambassador because I think he has done more than any previous Ambassador to help this case. But there is still a lot to be done. And he indicated that she went to a meeting before she left with her father and her husband. Her father and her husband weren't there; I think the Ambassador was misinformed. She said she was terrified of her father that he might kill her. He has a visa to come to the United States; he works for a company that does business in the United States, and she is afraid for her life even here today. And her husband, she didn't want to talk to him but somebody at the Embassy evidently made a call to her and then handed the phone to her husband, and she was forced to talk to him. But we will get into all that later.

So I just want to say that there is still some big, big problems here.

Let me ask you about Debra Docekal. She was able to establish contact with her children. She learned that both of them want to return to the United States, but they are not able to do so. Have you talked to anybody with that, in that family?

Ms. HARTY. I'm sorry, sir. The last name again?

Mr. BURTON. Debra Docekal. D-O-C-E-K-A-L.

Ms. HARTY. I'm sorry, sir. I don't have information on that case. I will have to get back to you.

Mr. BURTON. OK. We will give you that one. How about Michael Rives? His children Lilly and Sami were abducted.

Ms. HARTY. Yes, sir. I know them. I have visited them, actually. Well, one thing I would like to say about that case, sir, is we are trying very, very hard. Part of the reason for the visit to see the children was to ensure that they were at least well, healthy, phys-

ically being well taken care of. And while we were there, we had a very interesting—I had a very interesting conversation with the taking parent's brother. His visa has been taken away. We took his visa away as an aider and abetter, as somebody who was supporting the ability of the taking parent to have the children outside of the United States. And it was the first time that I had met somebody who actually felt the pinch of a new tool that Congress gave us. And so it was a good moment and an opportunity to explain that visa would never be forthcoming until those children came home. We made that—I made that statement very clearly to him at that time, to the taking parent as well. I understand that they understand that now, and they have a decision to make. But that is a pressure point that we used, we used well. We hope it will bear fruit.

Mr. BURTON. I think that is a step in the right direction.

Ms. HARTY. Yes, sir.

Mr. BURTON. We are introducing legislation that would mandate that people in the extended family of the kidnapped children would not be able to come to the United States until that was changed, until the children were released.

Ms. HARTY. If I might, sir, say something about that. We were going to—in fact, I was going to raise that with you today, that as part of our authorization bill for 2004 we included a proposed amendment to that section of the Immigration and Nationality Act 212(a)(10)(C) and we were hoping to get your support on that so that—we would love your support on that. It is a very useful tool. The more that we can do, the more tools we have, the more pressure points that we can find, the better. Actually, in the anteroom just before the hearing we began to have that conversation with Ms. Saga and Mrs. Dornier, and talk a little bit about that. It is a very, very useful thing to have.

Mr. BURTON. But it is mandated if there is a kidnapped child, that the visas be revoked or not, they can't get a visa?

Ms. HARTY. Not mandated per se, sir. It gives us the right and ability to do it.

Mr. BURTON. Gives the State Department the discretion?

Ms. HARTY. Yeah. But want to use it. I'm here to tell you we want to use it. There may be a case——

Mr. BURTON. I believe you will, but your successors might not.

Ms. HARTY. The reason I say, there may be a case from time to time where parents don't want us to take a particular step one way or another because they might still be in conversation; that might in fact be a step too far in a case where they may reconcile at some point. And so the discretion to use it is somewhat useful to us. But there is no way that I want to have a tool out there and not use it if it is going to help us get the job done.

Mr. BURTON. OK. I have talked long enough here. Let me yield to my colleagues. And I have some more questions for you on these other families. I have a whole bunch of those that I want to go through.

Ms. Watson.

Ms. WATSON. Thank you, Mr. Chairman. And I would like to make an opening statement to frame my concerns.

I want to thank you, Mr. Chairman, not for just calling this hearing, but for your consistent dedication to the issue. Last time I checked, the year was 2003, and yet in Saudi Arabia women are still treated as though they live in the Middle Ages.

Here in the American Press, we read about the most tragic stories such as the fire at the girls school where girls were trapped inside by religious police as the building burned around them. Or the harrowing escapes of Dria Davis and Maha Seramur from Saudi captivity. But the greater tragedy is the systematic and profound discrimination and mistreatment women suffer each day and every day in Saudi Arabia.

This is a tragedy and a shame for the Saudis. But the shame for the United States is that we continue to foster a close relationship with a country that not only abuses its own citizens, but abuses American citizens as well. So, Mr. Chairman, I want to thank you for your commitment to solving this problem. And in the short time I have been here in Congress, I have sat through a number of hearings about the awful way American citizens have been treated in Saudi Arabia and the Saudi Government's complicity in these crimes.

I have signed on to and written my own letters to the Saudi and the American governments regarding this issue. So far, I recall none of the responses I have received from either government adequate. The Saudi Government in particular likes to tell us that these women are there by choice. But as I have said before, the reality is that in Saudi Arabia for women choice simply does not exist.

I hope in the hearing with the panelists that we hear from in our own government about what steps they plan to take to end the kidnapping and mistreatment of Americans in Saudi Arabia and to improve the lot of women throughout the Saudi society.

Our nations, the United States and Saudi Arabia, are bound by shared strategic imperatives, and I don't question the value of that relationship. But what concerns me are the moral imperatives that are pressing on this relationship.

I would like to repeat a message I have sought to send before to the Saudis, apparently in vain: We are not here to lecture to Saudi Arabia, but we are here to send a clear unmistakable message to the Saudi Government. No matter who is in charge in Washington, DC, the American people cannot tolerate a relationship that goes against the principles on which our Nation is founded. If the Saudi Government does not solve its problems with providing basic human rights to half of its population, women, our strategic relationship will be in serious danger.

So that is the context in which I will be raising issues today. And I would like the panelist to explain to us what we can do to assist in solving the problem. Now, there is a bill, Mr. Chairman, that you do have. And if it is not complete, I hope you can tell us what we need to do to give you the tools that you need when you are dealing with this government, and I am sure we will be happy to assist you. Thank you so much for being here. And thank you, Mr. Chairman.

[The prepared statement of Hon. Diane E. Watson follows:]

Cong. Diane Watson

Thank you Mr. Chairman, not just for calling this hearing, but for your consistent dedication to this issue. Last time I checked, the year was 2003. And yet, in Saudi Arabia, women are still treated as though they live in the middle ages.

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systematic and profound discrimination and mistreatment women suffer each and every day in Saudi Arabia.

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complicity in these crimes. I have signed onto and written my own letters to the Saudi and American governments regarding this issue.

So far, I would call none of the responses I have received from either government adequate. The Saudi government, in particular, likes to tell us that these women are there "by choice." But, as I have said before, the reality is that in Saudi Arabia, for women, "choice" simply does not exist.

I hope that today we can hear from our own government about what concrete steps they plan to

take to end the kidnaping and mistreatment of Americans in Saudi Arabia, and to improve the lot of women throughout Saudi society. Our nations, the U.S. and Saudi Arabia, are bound by shared strategic imperatives. I don't question the value of that relationship. But what concerns me are the moral imperatives that are pressing on this relationship.

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American people can not long tolerate a relationship that militates against the principles on which our nation is founded. If the Saudi government does not solve its problem with providing basic human rights to half its population, our strategic relationship will be in serious danger.

Mr. BURTON. Do you have any questions you would like to ask at this time, Ms. Watson?

Ms. WATSON. Well, my question was incorporated in my statement, my last statement. And that is, what can we do to assist you? And is the bill that has been sponsored by the Chair complete? If not, just let us know during the hearing what we might do.

Ms. HARTY. Well, I thank you very much for that. As I have already shamelessly plunged into requests for things that might be of assistance to us, the language that would expand section 212(a)(10)(C) of the Immigration and Nationality Act, would be very, very, very useful to us. We would appreciate your support on that, and I am actually quite certain that we have it, sir.

I would like to take a rain check on the second thing that we are looking at now. It was in 1988 the International Child Abduction Remedies Act was passed [ICARA], which served as the implementing legislation for the Hague Convention, the Hague Abduction Convention in the United States. We are coming up on 15 years of the anniversary of ICARA, and so what I am doing in the early fall is pulling together a group of interested people to discuss ICARA a little bit and see if there are any changes in fact to that implementing legislation that might be useful. So we would welcome input. And then in fact when we come up with suggestions, if there are ways for change, I would like to take a rain check on the offer of assistance now until we look thoroughly at that and see if there are new things and new ways that we can build on that.

A third thing that I would like to ask is, and that needs no encouragement by your presence here today, and that is that it is invaluable to us, as I alluded to in my opening statement. Your participation in these cases is invaluable to us. Your raising them with Ambassadors who you meet in this town as well as on your foreign trips gives us an impetus and an extra sense of unity as we go overseas and show that it is the legislative and the executive branches that are as serious as we can be about protecting our most vulnerable citizens. It is very helpful as I have traveled to Saudi Arabia twice, Syria, Lebanon, Guatemala, Mexico, next week we will go to Austria, Sweden, and Germany, all discussing international parental child abduction issues. When I can use your names, when I can use your energy and your commitment as examples, that it is not just Assistant Secretary Harty, it is not even merely the State Department; it is the executive branch and it is the legislative branch together that has an abiding issue and an abiding interest in these issues.

To the degree that the chairman mentioned a little bit ago that we are all appointed, certainly that is true. I am appointed. But I am 23 years in the Foreign Service; I am a public servant as well. And I think that what we do is a privilege and an honor, and we are dedicated to leveraging everybody's energies, every person of good will's energy to get this job done.

Mr. BURTON. It was not the intention of the Chair to denigrate public service.

Ms. HARTY. Oh, no, no. I was just trying to get it out there.

Mr. BURTON. What I was trying to explain to Mr. Armitage and Mr. Kelly, not necessarily you because you are here, was to explain that there has to be oversight.

Ms. HARTY. Yes, sir.

Mr. BURTON. And the elected officials are responsive to our constituents. We run every 2 years, or every 6 years in the Senate, and so we are supposed to keep track of what is going on. We can't many times because there is so much going on.

Ms. HARTY. Though it is helpful for us. Your interest in these issues is very helpful to us.

Mr. BURTON. Do you have any more questions?

Ms. WATSON. Let me just probe a bit, and see if the tone of your conversations with the Saudi Government at the State Department level indicates that there could be a threat to our relationships if they don't address these cases. I mean, what do you do? What is the tone when you talk to the government?

Ms. HARTY. I think the tone is always cordial, but the tone is also very, very frank and businesslike. We have issues. We are not going to stop discussing these issues. We have had some success in some of—in making some progress, in that some of the things that you both have mentioned that are so very different from our own society's way of doing business they have begun to address. For instance, the right of an adult American citizen to leave the country if she wants to leave regardless of whether her male sponsor or guardian allows it. They have given us that as an assurance, that any American adult woman who wants to leave will be given an exit visa even without the guardian's permission. That is in direct response to the many people who have made these representations to the Saudis. And that starts with the President of the United States when the Crown Prince visited this country. It goes to all of the legislatures who have visited, who have made comments. It's Secretary Powell on numerous occasions, it's Assistant Secretary Bill Burns from the Middle East Bureau. It is me and several trips there. It is working at our embassies. It is constant. I do in fact call it a never ending conversation. And some people see that as a negative description. I see it as positive description of how in fact we are trying to get this job done. We are simply not going to stop.

In addition to getting exit visas for American citizen women who want to leave the country, we have also been assured that women who might—parents who might want to go back to visit a child who is wrongfully retained, even if a sponsor will not or does not want them to go back, they are getting those permissions and they are going to be allowed to go back in. Some have already, and that will continue. Is it good enough? No. And it is certainly no substitute for getting a child home, and we say that. I say it as I am saying it to you now. But I think access in the intervening time as we continue to try and get children home is a very important thing for a parent to be able to see their children. And so that is——

Ms. WATSON. If you will yield for a second.

Ms. HARTY. Sure. I'm sorry.

Ms. WATSON. On that, apparently American women married to Saudis are able to come to the Embassy and they can get a visa, exit visa pretty automatically?

Ms. HARTY. It is what the Saudis have told us now, and it has been our experience in the last six cases.

Ms. WATSON. OK. But is it a common practice that the children from that union are not automatically able to leave with their mothers?

Ms. HARTY. You are right, ma'am. That is exactly the way it is, and that is where our efforts are directed.

Ms. WATSON. Well, tell me, how does the Saudi Government see the children of that union?

Ms. HARTY. The Saudi Government sees the children of a union between a Saudi citizen and a U.S. citizen as a Saudi citizen.

Ms. WATSON. Even if the children were born in the States while he was in school and then taken back?

Ms. HARTY. Yes, ma'am.

Ms. WATSON. And the children are born in the United States and they are listed as American citizens, the Saudis interpret, because the father is a Saudi citizen, just going to school, that these children be Saudi citizens too?

Ms. HARTY. Ma'am, in general, that is true. There may be a case that I can't think of at the moment where that is not the case. But in general, that is true. A Saudi father has Saudi children.

Ms. WATSON. What kind of legal standing do we have, does the mother have, when living in Saudi Arabia, married in the United States to a Saudi citizen, had the children there, then went home?

Ms. HARTY. Back to Saudi Arabia?

Ms. WATSON. Back to Saudi Arabia, with the husband, went to his home. What legal standing does she have in the Saudi courts, in the American courts, and in the international courts?

Ms. HARTY. Well, the American courts, there is very little attention paid to American court orders outside of the United States, and in Saudi Arabia the Saudi courts would prevail.

Something that you asked in your opening statement that I should have also spoken to is what else we can do, what else we can try and do to let people—to stop these things from happening. We have got a lot of information on our Internet now. Our Web site gets 129 million hits a year. When you apply for a passport to travel outside the United States, which she would have to do even if she were going to Saudi Arabia, right on page 2 it gives you the Web site, it gives you an emergency phone number to call. If you were ever to use this, you would see a consular information sheet on Saudi Arabia that talks about family matters. It says a married woman residing with her Saudi husband should be aware that she must have her husband's permission to depart or have their children depart from Saudi Arabia.

It goes on at some length. We have other pieces: Islamic family law, Saudi Arabia and international parental child abduction, a travel warning on Saudi Arabia, additional information on our Office for Children's Issues.

Ms. WATSON. Let me ask you this. Those papers are given to the American female.

Ms. HARTY. They're available on the Web site, ma'am. As a matter of fact, we've got it on the Web site. We've got it in the passport so you know where the Web site is.

Ms. WATSON. I know. We will find that, you know, no one reads——

Ms. HARTY. But I have a new idea.

Ms. WATSON. Well, let me just say this, and then you can respond.

Ms. HARTY. Sure.

Ms. WATSON. No one reads the information on the airline ticket.

Ms. HARTY. I know. Unless you're really bored standing at the counter, you don't read page 2 of your passport.

Ms. WATSON. And I don't think they are reading the information they pull from the Web site. So maybe your idea is the same as mine. Would it be practical and effective to, when that person is getting ready to go to Saudi Arabia, that whoever is the consulate general or whoever is dealing with them must read that paragraph to them, can be sure they understand or have them sign off?

Ms. HARTY. Actually, that's a great idea. Although we've talked to the Saudis about it. I mentioned it in my opening remarks. And we are talking about how we can share additional information. Because, of course, a woman—an American citizen woman going to Saudi Arabia wouldn't necessarily see an American official except perhaps to get a passport; and, in that case, she doesn't have to tell us why she's getting a passport, just that she needs one. So the issue is whether or not we can come to an arrangement with the Government of Saudi Arabia so that when they issue visas perhaps that is a recommendation we can make, and I'll certainly pursue that.

My idea was less creative, but I'm going to do it anyway. And that is I sell about 7.2 million passports a year, and maybe you won't read page 2 of the passport, but you'll open the envelope when you get something from the passport agency because you bought that. You're looking for that passport. So we're going to put a little flyer on top of the passport itself. Can't get you to open a book and read it. Maybe you'll read the little flyer on top that calls your attention to the Web site: travel.state.gov. We've got 129 million hits last year. If I can get people to read that Web site, that will be a very useful thing; and we will be incorporating that into the mailings that we do for passports so that people have more of an ability to know that there's more information out there for them.

Ms. WATSON. I am a strong believer in informed consent.

Ms. HARTY. Yes, ma'am.

Ms. WATSON. And some way we have to bring it to the attention of the illiterate. You know, people just don't read. I think that maybe we ought to put a step in between applying and getting your passport, and that is that you need to sign off here that you have read. And, that way, at least they sign it. They've read the above.

You know, often we sign and we haven't read the above, but it's on them. I just feel we need to give more information in the beginning, in the initial step so people can think about the choices they have and what they're getting ready to do.

Ms. HARTY. An informed consumer really is all of our best—the best protection for anybody.

Ms. WATSON. Exactly.

Thank you, Mr. Chairman.

Mr. BURTON. Thank you, Ms. Watson.

I want to make sure before you leave you get a chance to hear Sarah's comments.

Ms. HARTY. Yes, sir.

Mr. BURTON. I have some more questions which I'll probably submit to you in writing, but there's a couple of other things I'd like to ask you before we get to Sarah. Regarding Sarah Saga's two children, are they considered American citizens? And, if not, why not?

Ms. HARTY. Sir, they're not American citizens right now because Mrs. Saga doesn't fulfill the transmission requirements for citizenship.

Mr. BURTON. What are those requirements?

Ms. HARTY. That she—an adult who wants to pass on citizenship needs to have spent 5 years in the United States, 2 of those years after the age of 14.

Mr. BURTON. Do you think that should be changed?

Ms. HARTY. Well, sir, in—we talked about this with Congress several years ago and so, in 2002, we passed new legislation, the Child Citizenship Act—sorry—of 2000; and what that does is remedy the situation to a degree in that those children—the fact that they are not right now holders of blue passports would have been irrelevant to our reaction had we been able to get exit visas, get on the plane.

We will solve this the minute we get home, because the Child Citizenship Act of 2000 gives us the ability to very, very quickly naturalize them and make them U.S. citizens. We worked hand in glove with the Congress on that. Happily look at that again, but it's not an impediment to their coming to America at all.

Mr. BURTON. Well, that's comforting. It would be nice if we could say that if a child is kidnapped and they have children later that the citizenship rights would apply just as though they were living in the United States.

Ms. HARTY. The citizenship in these cases accrues through the petition process and the fact that their grandparents—that the parents of the—yeah, the grandparents can, in fact, petition for them.

Mr. BURTON. I just have a couple more things I want to ask you real quickly.

Can you put up on the screen the first letter from Margaret Scobey? I don't think she can see that.

Ms. HARTY. Oh, I can't see that, sir.

Mr. BURTON. OK. Can somebody get her a copy of that so she can see that real quick?

Ms. HARTY. My eyes just aren't that good, sir.

Mr. BURTON. In fact, didn't we have an excerpt? That excerpt was blown up. OK. Give her a copy of that.

Ms. HARTY. Thank you.

Mr. BURTON. Here's what that says. It says, we have provided Sarah's passport to Saudi foreign affairs authorities in Jeddah and asked for an exit permit and all exit formalities to be arranged that will facilitate her departure from Saudi Arabia. She also asks to bring her two children, Hanin and Ibrahim to the United States to visit their mother—her mother, who's never seen her grandchildren.

And then later, on June 19th, Sarah was in her room or bedroom or whatever you want to call it; and she received notification that there were three members of the Saudi Government that were coming to see her. She had about 10 minutes notice. They came in and were with her for about 2 hours, along with three women from the consulate.

She ended up signing a document which says, I declare that I am leaving Saudi Arabia alone without my Saudi national children named in the document. In the event that I would like to see my children, this matter would be left up to their father's discretion, and this would take place in Saudi Arabia. I sign this declaration out of my own free will, without any coercion or any kind of pressure from either—any source or person.

So she was actually giving her children away because, as you know, the father doesn't have to let her see the children according to that. So she knew that she made a horrible error by signing that. So, the next day, she signed a document that said, when I signed the declaration on June 19 it was not my intention to relinquish any rights to which I was entitled. I simply intended to reflect my understanding of what I had been told by the Government of Saudi Arabia. I did not intend permanently to waive my right at some later time to demand custody of my children, nor did I intend to agree not to seek the assistance of the Government of Saudia Arabia in ensuring that I have access to my children.

What I can't understand—and maybe you've talked to some of these people, and I did talk to the Ambassador a little bit about this. I'm not sure he had the whole story, because some of the things he told us was in error, and I don't think it was intentional. I just think he didn't have the right information.

Why would those three women in the consulate, standing there, relatively quiet, not tell her what she was giving away? Because this young lady was under extreme pressure. She was scared to death of the Saudi Government. She thought her father would kill her if she left that place. She didn't feel she could leave even if her children didn't go to America. She was caught. Why would they not say this is something you ought to think about for 24 hours before you sign it?

Ms. HARTY. To start with the visit to the room, Mr. Chairman, I understood that the reason for that was that they thought it would be more comfortable than suggesting that she leave the compound to visit them, that the Saudis originally had invited her to their office and we said no.

Mr. BURTON. I know. But she was given about 10 minutes.

Ms. HARTY. For which I regret that.

Mr. BURTON. And the second thing is nobody from our consulate went in and said, now, look, they want to talk to you about this. Here's the pros and cons of it. They just all came in, six of them together.

Ms. HARTY. Yes, it was the regional security officer, the consular officer and the consulate and the consul general.

Sir, perhaps there is a miscommunication here because the consul general believes that she recommended that the document not be signed, that it wasn't.

Mr. BURTON. Well, I talked to Sarah before the hearing, and we'll let her speak for herself, but that was not the impression that I had.

Ms. HARTY. I'm uncomfortable putting—you know, since I wasn't in the room at the time, but the consul general certainly believes that her recommendation was the opposite, that it not be signed at that moment. But I have to say that what we also said at the time was there is no way that any such a document signed in any such situation would ever have been binding.

Mr. BURTON. Well, but the point is, it may not be binding as we view it. But the Saudi officials that were there took that document with them and they could use that any way they want for publicity purposes or anything, to make it look like this gal gave up her kids of her own volition and she just wanted to get the heck out of here and go to the United States and she didn't care about her kids.

So what I can't understand and I—maybe you'll ask them after you leave to explain why they didn't take some time. In the future, if other women come there, it seems to me they ought to sit down with them and say, here are your rights and you ought to think about this and weigh the pros and cons before you sign any document.

Because people like that are under extreme pressure. She thought she'd be killed if she left.

And then, when I talked to the Ambassador, he said that she did leave—before she caught her plane and she met with family members, including her father and her husband. She said that is not the case. The father wasn't there, and the husband wasn't there. And she said if they were there she wouldn't have gone. And so that needs to be made clear.

Also, there was a question about they said what kind of a plan do you have? And she—you should go back to your family and stay here until you have some kind of a plan to exercise to get out of here. She indicated that was said to her as well. Are you familiar with that?

Ms. HARTY. No, sir, I'm not.

Mr. BURTON. Well, maybe I should get her up here so you can hear her whole story; and then you can respond to us later. Let me just ask a couple more questions, and then we'll let you listen to what she has to say.

Michael Rives, we talked about him just a minute ago—and I'll rush through these. His wife was not even a Saudi, but her father was connected to the Saudi Government so he was able to go down there and use the Saudi Government as a shield to keep those kids over there. So there ought to be something we can do to get those kids back.

Ms. HARTY. Oh, sir, I regret that we haven't had success yet. I have been very aggressive on that case.

Mr. BURTON. Well, that's one that ought to be—well, they ought to all be pursued.

Maureen Dabbagh, she married a Syrian national who abducted their daughter Nadia to Syria; and currently she's suspected of being held against her will in Saudi Arabia. She received custody of her children from both United States and Syrian courts.

Ms. HARTY. I do know a little bit more about that case. What I don't know, regretably, is whether or not the Privacy Act waiver has been signed for me to tell you a little bit more about that.

Mr. BURTON. Well, this won't be the end of all these; and if you could get us in writing——

Ms. HARTY. I'd be happy to, sir. I don't want to betray somebody's—there's a personal situation in each of these cases, and I don't want to betray that. I also don't want to not be cooperative with you.

Mr. BURTON. Well, we'll look at it privately; and we'll discuss that case.

Joanna Stephenson Tonetti. She married a Saudi national, had three children: Rosemary, Sarah and Abdul Aziz.

Ms. HARTY. Yes, I met with those children, too. They're gorgeous. They're lovely children. We are also trying very hard in that one. Several other senators are involved in that case. They have been for a long time. Both parents in communication trying to work through——

Mr. BURTON. Well, now don't make it look too good. Because he came to the United States. He is from Terre Haute, IN. He was ordered by the court not to take the children out of the country.

Ms. HARTY. No, I don't mean to make it look——

Mr. BURTON. This is important. He was ordered not to take the children out of the country, and their passports were held. The court contacted the Saudi Embassy here in Washington, said the children are not to be taken out of the country. The Saudi Embassy issued new passports to the children, they were kidnapped and taken to Saudi Arabia, and she hasn't seen them since. So he's not cooperating. He kidnapped the kids against a court order in the United States.

Ms. HARTY. No, no. I don't think I said they were cooperating. I said they are talking to each other, which is a good thing because there are some things that he wants that may be able—that may break a logjam here. We have some hope in that case. We really genuinely have some hope.

Mr. BURTON. That he will give the kids back to the United States.

Ms. HARTY. Yes, sir.

Mr. BURTON. Well, I want to follow that case very closely.

Margaret McClain. She had one daughter, Heidi, who was abducted in 1997. Recently, she's been able to visit her child in Saudi Arabia, but she had custody. Are you familiar with that case?

Ms. HARTY. I am in fact. I met with Mr. Al-Omary as part of the effort to get him to agree to allow her access for a visit. I met with the Governor of the eastern province as well to make sure that this got done. That visit took place not so very long ago. It's not a replacement for—access is not a replacement for getting the child home. But we at least were able to get Mrs. McClain a chance to see her daughter, and we are continuing to push and push and push on that case.

Mr. BURTON. Well, that's another reason why we ought to use pressure like withholding visas for the extended families, because that was a kidnapping case. It was violation of U.S. law. If he comes backs here, he ought to be arrested and prosecuted. So to

say that she's been allowed to see her child—I mean, my gosh, that child's thousands of miles away. It's not like you can go over on a Sunday afternoon.

Ms. HARTY. Yes. It is not a replacement for getting a child home, but access is so important.

Mr. BURTON. OK. And, finally, Pat Roush, who's been with us. She talked to us today, and she said, you know, she watched this young lady come back to the States and her mother visit her, meet her at the airport and hug each other and things. She said she's been waiting on that for 20 years. Her children were taken away from her.

I hope that we don't forgot those cases where the children are now adults. They ought to have the opportunity to go to a neutral country or to the United States, meet with the mother and without any pressure from anybody else make a decision on whether they want to stay in Saudi Arabia or stay in the United States.

Ms. Roush has told us in witnessing before the committee that all she wants is for her two daughters to come over without any strings attached to them. And if they decide they want to go back after they come over, fine, but if they decide they want to stay in America—they're American citizens. They ought to have the right to stay.

I believe personally that they are under coercion and that they were coerced when they were in London when they took them away from Saudi Arabia while I was there with the delegation, and I think it was purposeful to make it look like they were trying when they weren't. So that's another case I hope you'll look at, even though that's an older one.

Ms. HARTY. Oh, sir, there are few things I'd like more than to see that happen, so that those conversations could be held. Rest assured that I have raised it on both trips. I will never go to Saudi Arabia and not raise it.

Mr. BURTON. OK, well, the seven cases that you said where children have been released I'll talk to you later and you can give us copies of those, because I am not aware of those, and they are not the ones that we were asking about when I was in Saudi Arabia.

Ms. HARTY. No, but three of them I think we—I may have called you on, sir, or perhaps a member of your staff, the first three. But there's several—with lightning rapidity, several others have occurred.

Mr. BURTON. Well, we'll talk about that. And I hope you'll listen to what Sarah has to say, because it was indicated by Prince Saud to me that any woman who wants to leave can leave. Once you hear the whole story of this lady that was at the Embassy with Sarah and how there was pressure put on them and their families to keep them from leaving anyhow I think that'll give you a different picture. Because Prince Saud may say that they're trying, but there were government officials that said, you know, cut them off at the airport. Don't give them anything. Leave them high and dry. And there was pressure being brought to bear to force them to change their minds.

Ms. HARTY. You're talking about the other family.

Mr. BURTON. I'm talking about the other family as well as Sarah, and we'll let her testify about that.

Ms. HARTY. We have been in touch with her since she went back. So far, we have assured her that we will continue to be in contact with her, and she has been able to be in contact with us.

Mr. BURTON. Well, we'll let Sarah tell you what this lady said to her when they were together in the Embassy, because I don't think that whole story has come out.

With that, we appreciate you being here; and we will be sending a tape and—with questions from the hearing and with your permission we'd like to have you respond.

Ms. HARTY. Absolutely. Thank you, sir, very much.

Mr. BURTON. Thank you, Ms. Harty; and please take our message back to the Secretary, Mr. Kelly, will you?

Ms. HARTY. Rest assured, sir.

Mr. BURTON. Thanks a lot. Appreciate that.

We'd like Sarah and her mother to come forward now. Where are they? Oh, there they are. Right there.

Sarah, would you and your mother come up to the table?

Oh, and Ms. Radwan from the Saudi Embassy, are you here? Is Ms. Radwan from the Saudi Embassy here? Ms. Radwan from the Saudi Embassy, are you here? Is anybody from the Saudi Embassy here?

Well, they said they were going to be here, and they sent us a statement. I guess they don't want to be questioned. Doesn't surprise me much.

[The prepared statement of Ms. Radwan follows:]

Statement of the Royal Embassy of Saudi Arabia
Mannal Radwan
Subcommittee on Human Rights & Wellness
July 9, 2003

Mr. Chairman, Ranking Member Watson, and Distinguished Members of the Subcommittee:

In response to the Committee's request for testimony from the Embassy, please accept the following statement:

I am the Assistant Director for Political and Congressional Affairs at the Royal Embassy of Saudi Arabia. I also serve as a member of my Government's Interministerial Committee dealing with child custody cases. My position at the Embassy includes responsibility for facilitating communications between the Embassy and Congress, and providing assistance on various issues of concern to Congress, the State Department, and the Government of Saudi Arabia. For the past year, I have been very involved in assisting our Government to resolve and prevent child custody disputes between American and Saudi parents.

I welcome the opportunity to provide this statement for the record and thank you for considering the views of the Government of Saudi Arabia on this important and often tragic issue that is before the Subcommittee today.

It is the Government of Saudi Arabia's firm belief that child custody issues are a human tragedy that should not be politicized. In that light, I am pleased to report on the work done by the Government of Saudi Arabia to fulfill its commitment to solving all outstanding child custody cases between our two governments.

Before I do that, however, I would like to thank the U.S. Congress for cooperation that it has provided to the Government of Saudi Arabia in trying to find suitable solutions that best serve the interests of the children involved in custody disputes. Working closely with members of Congress on individual cases has proved to be invaluable by building confidence between parents -- a vital element in reconciling differences and speeding the process towards a final resolution. Unfortunately, results often are slow in coming but our joint relentless Saudi-American efforts have proven to be very successful.

I am pleased to confirm that, in the past few months, through our joint efforts, Saudi Arabia was able to resolve approximately 40% of the outstanding child custody cases presented by the State Department to my government. This diplomatic process has resulted in the return of seven children to the United States this year. In addition, three more children are expected to return to the United States in the near future.

It is important to note that there are about 1,100 cases of child custody cases involving one American parent, and less than one percent of these involve Saudi parents. In that light, the return of seven children to the United States, in a matter of a few months, can only demonstrate the seriousness of the Government of Saudi Arabia in its full commitment to resolve child

custody issues. Similarly, these results prove the great benefit of the close cooperation and coordination that we have established with the State Department and with members of Congress.

I would remiss if I did not also mention our close cooperation with the National Center for Missing and Exploited Children. NCMEC was instrumental in sharing information and working on creative measures to resolve outstanding cases and to establish preventive measures to safeguard against the development of new ones.

In my testimony today, I want to focus on five important accomplishments of my Government in its pursuit to resolve and prevent child custody cases:

1. Proposed Bilateral Protocols Between Saudi Arabia and the United States

Child custody disputes are complicated by the fact that children are often citizens of both Saudi Arabia and the United States. The fact that Saudi court orders are usually not enforceable in the United States and vise versa has been a major source of difficulty. In trying to address this problem, the Saudi government realized that membership in the Hague Convention may not serve as the best solution. It has been reported by State Department officials that: "The Convention is far from 100% successful, it does not guarantee a satisfactory result for every left-behind parent."

The Kingdom of Saudi Arabia has accordingly proposed bilateral protocols with the U.S. that would establish a mechanism for dealing with these issues and help overcome the obstacle of differing legal jurisdictions and make it possible to resolve these cases in a practical manner. Major steps have been taken towards the realization of such a protocol but much work still needs to be completed.

2. The Establishment of An Interministerial Committee to Oversee Child CustodyCases between the Saudi Arabia and the United States

My Government has established an Interministerial Committee to review each case presented by the State Department on an expedited basis and to recommend ways of resolving them. The committee consists of members from the Ministry of Foreign Affairs, the Ministry of Interior, and the Embassy of Saudi Arabia in Washington, D.C. The committee also works closely with Governors' offices throughout the Kingdom. Members of the Committee meet on regular basis with officials from the U.S. consulates in Saudi Arabia and with officials from the State Department and members of Congress in Washington, D.C.

We have repeatedly seen examples of how our increased communication with members of your government has aided the resolution process of many of the cases to a great extent.

3. The Establishment of Mechanisms for American Parents to Gain Access to their Children in Saudi Arabia

The Kingdom is committed to assist American parents living in or outside Saudi Arabia to obtain meaningful access to their children residing in Saudi Arabia. Access by parents to their children and contact include efforts to maintain in-person visits on a regular basis; regular telephone conversation; exchange of photographs; access by parents to children's school and medical records; and visits by consular officers when requested by a parent.

On a personal level, I cannot express the joy my colleagues and I feel when we help facilitate successful phone conversations, exchange of photographs and home videos to parents who have unfortunately had to suffer separation from their children.

Furthermore, the Kingdom has established mechanisms for in-person visitation by American parents that guarantees private, secure, and comfortable surroundings and sufficient time to allow meaningful interaction between parent and child.

I am happy to inform you, that during this year, all visas requested by American parents to visit their children in Saudi Arabia have been granted.

It is vital to note, that access and facilitation of visits are not end goals in themselves for some child custody cases. However, we have witnessed that we should not neglect those measures because while they fall short of arriving at a final resolution to the conflict, nonetheless it enables the left behind parent to have a place in their child's life. Equally important, gaining access between parents and children has proven to be instrumental in speeding the process towards a final resolution because of the marked restoration of confidence between the parents and the creation of viable means of communication.

I am happy to inform you that we have received reassuring remarks from the State Department and Members of Congress as to the effectiveness of the Kingdom's new measures taken to guarantee family visit visas.

4. Adults are Guaranteed the Freedom to Choose their Country of Residence.

The Kingdom now guarantees that all adults (men and women who are 18 years or older) have the freedom to choose in which country they wish to reside and maintain the right to travel to and from Saudi Arabia for purposes of visitation or relocation.

5. Preventive Measures

It has always been said that prevention is the best cure. As such, the Kingdom of Saudi Arabia, in cooperation with the State Department, is studying a suggested framework for marriage contracts between citizens of both nationalities that would specify rights and obligations of each spouse, parental rights, and issues related to divorce. Once a framework is worked out, it is the hope of the Saudi government that such measures will help in raising awareness and be useful in avoiding future disputes.

Furthermore, the Kingdom has always been committed to exchanging information about Saudi laws and practices relevant to child custody, parental access to children, and related matters.

Moreover, all Saudi consulates have been instructed to obtain the consent of both parents before a child is issued any travel documents. The Saudi Consulates are working hard to prevent a parent from removing a child against the wishes of the other parent.

Let me close my testimony with an important note. It has been evident that every case of child custody is unique and there is no tailor-made solution that should be applied across the board. I want to assure you that the Kingdom is committed to encourage its citizens to reach voluntary custody and access arrangements providing both parents with rights of access to their children. The Government of Saudi Arabia is committed to continue working with your government to address this tragic problem in ways that would ensure the best interests of the children and to address parents' concerns.

Let me assure you that parents have the highest level of respect in Islam, regardless of their religion or nationality. The *Qur'an* instructs us all to pay the utmost respect, consideration, and fair treatment to our parents even if they were non-Muslims. It is in this spirit of respect and fairness that I wish to assure you that the Government of Saudi Arabia plans to continue its efforts to resolve all child custody issues through the diplomatic processes that are proving to be highly successful.

I would like to thank you for considering our views on this matter.

Mr. BURTON. Ms. Saga and Ms. Dornier, would you please stand to be sworn.

[Witnesses sworn.]

Mr. BURTON. Ms. Saga, you and I talked earlier, and you had a prepared statement, but you said you'd rather just answer questions. So what I'd like to do is I would like for you to start at the beginning and tell us when you decided to leave and why you decided to leave. Tell us about your father and your husband, the kind of problems you had, physical abuse and all that. And then tell us what happened when you got to the Embassy.

Just go through your whole story. And you don't have to read that. You can just tell it in your own words. We'll put your official statement in the record OK?

[The prepared statement of Ms. Saga follows:]

STATEMENT OF

SARAH SAGA

"INTERNATIONAL CHILD ABDUCTION: THE ABSENCE OF RIGHTS OF AMERICAN CITIZENS IN SAUDI ARABIA"

BEFORE THE

SUBCOMMITTEE ON HUMAN RIGHTS AND WELLNESS
COMMITTEE ON GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

JULY 9, 2003

My Story

The bruse of my story was a beautiful love story between my mother Debbie Dornier and my father Waheed Saga. When I look at their pictures I can see the beauty of their love. But this is life and it never stays as we desire it to. Life changed after 5 years of marriage, and the story took another direction. Unfortunately I was the victim of my father's pride.

At the time my parents were divorced they had an agreement that I could have regular visits with my father who, at that time, was living in another state. The first visit went well and I returned back to my mom safely. The next year my father was planning to kidnap me and neither my mother nor I knew what was happening or going to happen to me. I was too small to realize what was meant to be, but God had his hand over my young heart and he, for some reason, kept my little mind from knowing what was happening. After my father took me to Egypt and then to Saudi Arabia where his family was living. I remember going to school after coming from America. At five I couldn't speak one word in Arabic, so they had to hire a special teacher to teach me English. In the first year, I couldn't believe that my mother wasn't coming but I kept telling myself that one day soon she'd come and surprise me. Then everyone was telling me that mama's not coming back. I told myself that wasn't true and they simply didn't know. Year after year I kept telling myself that but as I grew up I began to see that for some reason I couldn't see my mom or talk to her. Then when I was 8 years old my father got married and he took me to live with him in a city called Yanbu. I was in the third grade at school. I had to live with my father and stepmother, who was anything but nice and kind. She would smack me or hit my head into the nearest wall for very foolish reasons. My father wasn't that bad at that time but he was distancing himself from me and he wouldn't know what was happening to me. I remember one day it was raining so bad on my way back to school. I was very scared so I went to the neighbors to stay with the small girl next door. When my father came back home he didn't find me at home so he went to the neighbors and took me back home. When we got home he started shouting and hitting me because I had run away from him and I kept pleading with him to stop hitting me, but of course he didn't. Also, one day I didn't clean my room well so my stepmother made me stay in my room and write down, "I am a good girl and I clean my room" over five hundred times and I couldn't get anything to eat until I finished my punishment.

After three years of marriage the tension became so strong between my father and my stepmother that their divorce followed. Then I went back to my grandparents' home to live with them until my father got married again after two years. All hell broke loose with that marriage. I was hurt from my first stepmother and I was so tenderhearted at the age of ten. While I was in desperate need of at least a hug or a kind word from my father, all I received were smacks and hits. The violence I lived in was so hard to bear. My stepmother was so cruel; she tried every way to destroy me. She beat me, she spoke ill of my mother to hurt me, she would let her family hit me, and she would starve me for three to four days at a time. I was literally so tired from the pain, I

would stay up every night praying to God to get me out of this hell I was living in. That woman was the very image of the barbaric style of women's creatures. She accused me once of stealing her sister's jewelry and that hurt me very much because I couldn't prove that it wasn't me. But what could I do with no power to even defend myself.

As I grew up the beatings increased with every day of my life, and my father's ruthless hand would bring tears of blood to my eyes. He would beat me for the stupidest reasons ever: for my low marks, or if I wasn't babysitting. One time he had beaten me very badly with a stick on my hands for not having good marks in school. When he started beating me I knelt on the floor and begged him to stop doing that but he didn't so I asked him to please have mercy on me. I would cry and say, "Please stop, why are you doing this to me" and he would wear his stone look and sometimes I would think that he had no heart at all. We never talked or had a normal conversation. He was always so cold and distant. I was so lonely in that home without any person to turn to but God. The pain increased day by day. More and more I would think that I couldn't live like that anymore. One day I was so lonely and depressed, so I grabbed some pills and shoved a good amount of them into my mouth to get rid of my life and my pain. At the last minute I started throwing up and God saved me from dying. As days passed and I went to high school, the abuse was getting stronger and the beatings were almost every week. As long as I was obeying my mother, I was safe. If I didn't do my duties as a maid and a babysitter then my stepmother would go and say to him that I was defying her and making trouble all the time and she would cry in front of him and he would beat the living air out of me. I was so hurt that my father was doing these things to me and my mom was so far away. I had no one to talk to, no one to help me and everyone my stepmother knew was against me. She would go tell everyone that I was so bad that I beat my own brothers, and that I was so lazy and she was the poor stepmother who was doing all the work and cleaning. And then she would beat me with her shoes if I only looked at her while she was screaming at me. Her family was also in the picture and they were just like her. I was so afraid of everybody. I couldn't find anyone to trust, anyone that cared, and no one that helped me get better when I was hurt. The pain was so great, and the need to be with my loving mother was so painful. I would cry and cry the whole night and look to the sky and plead with God to let my mom be with me. I would say "Mom where are you? Mom please I need you. I am so alone." The only answer I got was a feeling of peace in my heart. God was telling me that I would see my mom.

Day after day everything would get worse; my stepmother's family started to be so cruel to me. They started to say ruthless things to me. I remember one day that I went to sleep at night and I found that under my blanket was a dirty diaper, canned food, and hair removal cream spilled all over that bed, and my brothers medicine also spilled on that bed too. I was so enraged, but what could I do, I had no say in that house. I had to stay all night cleaning the bed and washing the bed sheets in the bath because my stepmother forbade me from washing my things in the washing machine. The bed incident wasn't the only time. Another time one of my stepmother's brothers took red lipstick and wrote

on one of the walls in my room just for fun. And I had to wash that down, I was crying all through the chore. As I grew up I had a hard time communicating with people. I was so shy and afraid to see people. One of my friends at school gave me a number of a man and she told me that this was a good guy and he would listen to me and so I called him and started to talk to him. I talked to him for almost three days. I would sneak into the living room at night and call him. One night my stepmother woke up and came to the room and went running to tell my father. And so he came to me and grabbed my head and started banging my head into the wall. He was telling me that I disgraced him by talking to that man. As he was banging my head into the wall I started bleeding from my nose. By the time he finished and shoved me to the floor I was covered head to toe with blood. I was crying and shaking. I was so afraid of my father and his beatings. At that time I was only thirteen years old. The punishment was so harsh that I was ordered to stay in my room and only at meal times I could go out to eat. I was forbidden from going out to the front or back yard of the house. I was so hurt, depressed, and sad. I wanted to take away the pain that I was suffering so I took a long scarf and I began to tighten it around my neck but when I felt that I was beginning to lose my breath and felt numb all over my body I stopped choking myself. For the second time I realized that it wasn't meant for me to die right then. I wanted to have a normal life like any other girl in a normal situation. Day by day I started building up my strength and tried to block the pain out of my heart. I would block my ears and pretend that I couldn't hear what my stepmother was saying to hurt me.

When I was in my first year of high school, one of my new friends invited a group of friends to her birthday. She asked me to come too. It felt great; I was going to have some fun that I probably would never have again. We left the school and walked to a house nearby. The moment I walked in the door of that house I saw a man I knew and I knew that I was in trouble but it was too late. The religious police and the regular police were surrounding the house. I couldn't go out anywhere. I began to panic and get scared and so I began to cry and run all around the house trying to find any possible exit but of course I couldn't. The house was completely surrounded by those men. They started banging on the doors and windows. They were shouting at us to get out. We gave up hiding and came out. They took us and put each of us in separate cars. When we reached the station they took each of us alone and they questioned me for about an hour. I was so afraid and became sick from the fear that my father would kill me. I was so sure that he would kill me as soon as he got his hands on me. When I was in the station one of my father's friends actually worked with the religious police, so he took the responsibility of taking me back home. When I got home, my stepmother, so pale, asked me if I did anything wrong and what I did, but I couldn't talk about anything. I was so scared of death that I was sure it was going to come soon. But my father came home and he ate his lunch and took a nap. My fear of the unknown punishment or death was so severe that I got under one of my brothers' beds and hid there for a very long time. I couldn't feel anything or hear anything only my heart pounding inside my chest. When my father woke up, all hell broke loose. He came right away to my room and

started screaming my name over and over again. Finally, I decided to get it over and done with, and so I got out from under the bed and walked up to my father. He was holding a pair of scissors in his hands and at that moment I knew that my time was up. He grabbed my hair and started slapping my face. Then he threw me into my room and began beating my body with his feet and hands. He kept telling me that I disgraced the family and that I deserved to be killed. I was in so much pain from my scars and bruises that I couldn't even move. Then he took a good deal of my hair and began cutting it here and there. He cut it short like a boy's haircut. I was crying and begging him to stop and hear my side of the story but he kept on going. Finally, my father left my room. I was like a statue. The only sign of life in me was my tears. I was ordered to stay in my room until my father decided I could leave. I was locked in my room for two years and some months. I wasn't allowed to go to the kitchen or anywhere else.

I would eat in my room and stay in my room for what seemed like forever and ever. The only thing I did was write down my feelings and study English from my dictionary. Those years were the most horrible years of my life. I couldn't sleep for a long time at night because of my fear of my father coming in the night and killing me. I had to hide all the knives in a safe place, but still I was so afraid because I knew that he would find a way to kill me. I stayed like that, ashamed and scared, for a long time and couldn't face anyone for a long time. After the two years of fear and hurt and shame my husband came to propose for my hand with another man who wanted my hand too. My father saw my husband and then he arranged a time for both of us to see each other. In the beginning I was so happy that at last I was going to get out of the hell I was living in but when we got engaged I didn't like him at all. I tried to get my father to end this engagement but he didn't and he told me to give myself time to get to know him. But there was no time, we were engaged for three months and then we got married. I didn't give up and on the day before my wedding, I called my father and told him that I didn't want this man and I couldn't go on like this. And so he came with my uncle and my father-in-law. Then they all tried to convince me that I was young and I would get used to my husband and I just had to give myself time. They didn't listen and I was forced to stay with that man whom I didn't like or love. And for two weeks I was racked with those terrible pains in my head whenever he came to touch me. And my husband thought that I was acting until one day he saw me banging my head in the wall from the pain I was suffering. Then he did believe me. But I couldn't prevent what was to happen sooner or later. I got pregnant with my son Ibrahim. During that time his family was so cold with me and they were acting as if I was a bug or something in their house, which was the thing that made me so infuriated and hurt. I gave birth to my son and after a year I got pregnant again with my daughter Hanin and that was when I started to search for my mother. Before that time there wasn't any connection to the World Wide Web or the Internet. As soon as it entered Saudi Arabia I took advantage of having a computer at home and started the search for my mother. I tried to ask for help from family and someone offered me his credit card to use on the Internet so I could go into some American official sites to find out my mom's nplace or address. But one day I was searching for some search sites for people

and I got a link to the Yahoo people search and so I tried entering my mom's name but it didn't work. I entered my mother's family name and the result was a tall list of names and I tried to see if there was any name that I could call and by chance I saw my grandmother's name and phone number. I tried that number and an answering machine picked up and so I said that my name is Sarah and I was looking for my mother and that I hope I can still call her grandma. I called the next day and grandma answered the phone and she was crying and I started crying too. We exchanged numbers and then my mother called and I spoke to the whole family.

My mom and I talked for two years and my husband was OK with that until I started asking for a trip to see my mother. He started ignoring my request to see my mother. I tried every possible way to convince him that I really need to go to any place to see my mother. But he kept hiding from the subject. And one day my mother had suggested that she will pay for a trip to France, everything from the ticket to the house, but he also refused. By this time he was starting to get abusive and I guess that the reason was that he didn't want to take me to my mother at all. I told my mother that I was really fed up with everything that happened and was happening to me. I begged mom to find a way for me to get out of that country with my babies. I had so much hope that I would make it with my kids to the U.S.A. At that time my relationship with my husband was getting to a crossroad. I sought my family's help and went to my grandparent's home to get a divorce and so I stayed in my grandparent's home for one week. One day my father came and he said that he was going to take me to Yanbu with him. With that I had to return to my husband and seek my mom's help. After that I waited until my mother assured me that it was safe enough for me to go into the consulate and that no one was going to kick me out of the consulate. I moved on the morning of Sunday the 16th of June. In the morning, I woke up my children and then I got out of my grandparent's home very quietly. Then I went to the nearest supermarket then I took a taxi to the consulate. I arrived at the consulate at almost 7 o'clock in the morning. I was taken after the check-in to the lobby. I sat there for a long time that was almost 2 hours waiting for somebody to help me. Loren Mealy came and spoke to me after awhile. I explained that I was there because I wanted to go to my mother and escape the abuse and hurt. Loren took me to the Consulate General and I sat there and they tried to convince me to go back to my family's home before it's too late. Of course it was already too late to go back, so I refused. I felt so scared and afraid for my life and my kids' life. I tried to fight for them, to have them coming with me but nobody over there helped me with that. I was having interviews in the night and meetings with the Consulate General in the morning. The stress and hurt and anger I was feeling were so much for me to bear. I held myself up until I found out that there is no chance for me to take my kids. I decided to negotiate with my husband about the kids. I tried my best to have a good and trustworthy agreement that would give me a good chance to be able to see the children and talk to them whenever I could until I could get them.

One day I was eating breakfast in the room with the kids and the Consulate General called and she told me there was going to be a meeting in ten

minutes with Saudi officials from the MFA and three women from the consulate. To my surprise after ten minutes they knocked on my door and came into my room. I was so afraid they were going to take my children away. I felt helpless and without control of the situation. The Saudi officials tried to convince me that I couldn't take my children ever unless my husband consented. During the meeting my mom tried to call but the person who answered the phone hung up on her. They took the phone off the hook so my mom could not reach me. At that time they presented me the declaration dated June 19. I thought that the paper had been written by someone in the consulate. I refused to sign but they insisted that this was the only option. One of the Saudi officials named Bandar M. Jamil told me that he talked to my husband and in his opinion saw that there is no problem between my husband and I. Apparently my husband had convinced him that everything was okay, that there were no problems. Out of stress and fear I signed the paper. The minute they walked out the door I knew I had done the wrong thing. I felt that the paper meant that I was giving up my custody of my children and so I called my mom to tell her that I did something terribly wrong. Then my mother said that the paper wasn't legal anyway so it wouldn't work. The Consulate General wrote down on a paper that said that I didn't want to give up my children and by signing it I am not giving up my custody of the children. The next few days I was so tired and scared I was trying not to break down or loose control. The whole time, the people at the consulate were trying to convince me that I had no options. I realized that I really had none. The people at the consulate were acting as if they worked for the Saudi's. The meetings and the speed of how they organized the passage for me so fast tells how close they were working together. One day, my phone rang and the operator told me that Gina wanted to talk to me, so I said, "OK." To my surprise, on the other side was my husband talking from Gina's cell phone. I was so enraged that the Consulate General fooled me in that way. I had to speak with him or else they would have found a way. If they had let him call from Gina's cell so then what next? The first time my husband talked to me, me he told me the Saudi's were telling him that if the children ever left Saudi Arabia it would be easier for me to take them away from him. They kept filling his head with false thoughts. I couldn't believe how hurt I was to see that I was losing every possible chance that my husband would agree to let the children come with me on vacation. Besides that, there were a lot of other things that scared me to death. Two weeks before I went to the consulate, Debbie, the woman who was in the consulate, called me at home. She tried talking me into changing my mind. She was saying that the kids couldn't come with me and that the consulate general was saying that there was no chance of them going to the United States with me. Then the consulate general personally spoke to me and asked me personal questions that I didn't understand, the language seemed to be full of political words, and could see the consulate people were filling Debbie's head with false thoughts about her case. They were telling her that there is no case for her, that they had called a lot of people in the U.S.A. and they didn't find anyone who knew about her case. Even when her husband told her about the jail issue, s

he was so afraid that he could take her to jail and her own country wouldn't stop them. She said to me once that she saw how America cared for the Iraqi people and for the Afghani people, but don't they care about their own people? I was so sad about her situation and how they were making her believe that it was better for her to go back to her husband. I was wondering how could they dare to do that after knowing that she was beaten so badly by her husband and had some broken bones before. The question is, why did they act on behalf of the Saudis? There are a lot of women who are imprisoned over there trying to get out of that place but hey are so afraid to take a step toward their freedom. I surly know why they are so scared to do anything.

The experience of staying in the consulate was the most difficult and scary time in my life. I had to have money to feed my kids and me. The consulate people trying to make me stop talking to the press. And how would the American government ever know about my kids and I if I don't talk to the press? Another thing was that I felt so violated because my husband saw my passport and he knew a lot of what was happening to me at the consulate. How can I trust anyone who exposes my privacy to a person who I don't want anything about me?

I also kept asking Loren Mealey to fax my documents to my mother but she didn't. And when she finally did it turned out that the papers were not sent to the correct number. So where did they go? On the last days they were eager to get rid of me I was still deciding whether or not to the U.S. and I said that to someone in the consulate and they replayed to me that I have to go because another woman was coming to the consulate because she was abused. They told me that we need your place to put that women in your place.

The return to my mother went without any troubles, I was escorted to the airport and then at Frankfurt I was also escorted by two women from the consulate there. The trip was tiring but peaceful. And as much as I was happy to be reunited with my mother I was so sad that I was forced to leave my babies behind.

Sarah Saga

Sarah Saga

STATEMENT OF SARAH SAGA, AMERICAN CITIZEN ABDUCTED TO SAUDI ARABIA IN 1986

Ms. SAGA. Well, first——

Mr. BURTON. Pull the mic real close. You have a very soft voice. We want to make sure we hear everything you have to say.

Ms. SAGA. First, I want to say thank you to you and to all the people who helped——

Mr. BURTON. OK. Pull the mic a little closer because your voice is very soft. We want to make sure we hear everything.

Ms. SAGA. I wanted to say thank you, and I'm so thankful to be here today. I am so proud that I am an American citizen and that I had the right to come here and say my words.

What I've been through was hard. As you know, I was taken by my father from here when I was 5 years old, and I was cut away from my mom. I wasn't even permitted to hold a picture of her. And no calls. If they could even pull my memories away, they would have done that. Only my family members—some of my family members, who they loved my mom very much, would talk about her. But as long as I lived with my father I couldn't communicate with my mom or even try to communicate with her.

My father married twice, and he used all kinds of abuse. He beat me. I was locked in my room for 2 years and not even being allowed to open the curtains.

Mr. BURTON. How many years?

Ms. SAGA. Two years.

Mr. BURTON. Two years?

Ms. SAGA. And my stepmothers also was helping him in that. I was starved. I was held—my father grabbed my head and just slammed my head in the wall because I was talking to the phone to someone I wasn't supposed to. My stepmother's family, her brothers and sister used to put foul-smelling things in my bed, and they would pour some medicines upon my study books, and I was supposed to clean up what they did to me.

I wasn't allowed to even wash my clothes in the washing machine. I don't know why. Maybe—I don't know why.

One day I took a picture from my grandma of my mom, and my stepmother discovered that I was holding the picture, so she wouldn't talk to me, she wouldn't let me go to the kitchen or eat or get out of my room. And at the end I had to kneel down and kiss her feet to just let me eat. So I was dreaming of the day, which I can come here to my loving family, to my mom, just to live a normal life as any woman, any human being.

My father was so ruthless and cruel to me. He used to beat me for just foolish things.

One day he—I had low marks in school, and he beat me with a stick. And I went to school with my hands bruised with all colors, blue and purple, and I couldn't even close my hands. And I was holding my hands in the desk, and the teacher thought that I was playing with something or writing something down, and she said, take your hands out of the desks, and I said please don't make me do this, I can't. And so my friend beside me told her that she has been beaten by her father. And so I took my hands out, and she was shocked. She almost screamed when she saw the sight.

During those years I've reached a stage or I've reached the point that I would want to get rid of my life because of all of the suffer I was going through and all the bad things I was going through. I had no friend, no one, no family.

Also, my father had some problems with my family, my grandparents and my aunts and my uncles, so he wouldn't go even there. So I had nobody to talk to, to tell what I was going through.

Mr. BURTON. Why don't you tell us, Sarah, about how you met your husband and how you got married and then you had children and then how you decided to leave.

Ms. SAGA. OK. When I was 18 years old, my husband and another man proposed for my hand just like the original way of marriage over there. His sister saw me in the school, and then she told him about me, so he proposed. By that time, I was locked in my room and—for 2 years, and in some sense I was so happy to get out of what I was in from that home and to try to begin a new life, which I was hoping to be nice. But during the engagement days I couldn't make myself like that man or I didn't like him. And I tried to talk to my father. Please, I don't want this man. Don't make me marry him. So he wouldn't listen to me.

And I tried with all of my family members. But they had no power because the word is for my father to say yes or no.

On the night of my wedding I tried my best to talk to my family, to do something to prevent this marriage, but I couldn't. So in the morning, I told him that I don't want him, and he called my father and his father, and they both tried to talk me into completing this thing, and they didn't want me to get a divorce. And my father said you're young and you don't know life. You'll get used to him. And so I couldn't prevent that from happening.

After a year of my marriage, I had my son; and after another year I had my daughter. And when I had my daughter, it was like she did awaken some things in me that was there but I couldn't feel it because at that time I was a mother.

And for my luck that was the time that the Internet entered Saudi Arabia, and so I tried to talk to my uncle, what can I do to search for my mom? And so I went to Yahoo Web site, and I wrote down my mom's name. And then I couldn't get her number, but then I wrote my family, my mom's family's name.

And I got my grandma's number. And I knew that she lived in her own house, she's not moving, and so I called her. And the answering machine answered, and so I left a message saying that my name is Sarah, I'm looking for my mom and I hope that I can still call you grandma. And so I called the next day and she was my grandma, and I was so happy. We were all happy and crying. And then we exchanged numbers and e-mails and we kept talking to each other for 3 years.

At that time I was trying—since I talked to my mom, I was trying to get my husband to take me to anywhere so I can see my mom. First I pleaded with him to take me to America so I can see mom. But after a short while he was saying no all the time. He wouldn't take me anywhere. And he was referring that to money problems. He didn't have enough money to take me. And so one time my mom offered that she will pay everything for us to go to France so we can see each other. But he also refused. And I think

that my father had some influence on him. He was talking to him and because he was acting like as if he was thinking the same way my father does.

And so during those 3 years I tried every way possible for me to convince him to take me to my mom. And 1 day we were arguing about that, and he said, why do you want to see your mom? I don't understand this relationship between you. And I said, I haven't seen her in 18 years and you're asking me why I want to see my mom? And so I knew that from the beginning he wasn't going to help.

So then I decided that I have to do something because he was also beginning to be very verbally abusive with me and physically abusive with the children, and I knew that the only way I can be safe and free is to come with my children here to America. So I began planning with my mom for a safe way to get out of Saudi Arabia. It was very dangerous, and I was so afraid, and I had to be secretive. Nobody knows. And I was losing my weight and my hair and I was suffering skin problems and I tried to be as normal as I can.

And then when the chance came for me to go to my grandparents home I went there. And I pleaded with him to leave me for one night because my grandpa was sick. And so I stayed there and at 5 a.m. I woke up, woke up the children, I took a taxi and we went to the consulate. When we arrived there I went through the checking in and everything, and then I stayed in the lobby for a long time, probably 2 or 3 hours until somebody came to talk to me. And they were asking me, what's your case? What do you want? And then Lauren came, and she also asked me, why are you here? And then we went to the consulate general's office, and they tried talking me into going back to my family.

Mr. BURTON. What did they say to you? I think this is very important, because we want the State Department and everybody to understand what a woman goes through when that happens.

Ms. SAGA. At the beginning, they told me that if you can go to your family, go now, and we will help you, we will stay in touch with you. And I told them that I can't go back because if my father ever knew what I've done, he would kill me mercilessly. And they told me that we haven't known anything about you before, so we don't have a file about you. If you had called us before, we could have helped.

And, of course, it was too late for me to go back. I couldn't go back. But I was in so much fear and pain. And I called my mom, and I said, what can I do? I was afraid and I was so desperate to get out of that country. So I refused to go.

And they called the woman who was in the consulate over there to—as if to convince me to—you know, look, this is a woman who has been here 2 weeks, and she couldn't do anything, so you'd better go back because we can't do anything for you and your children.

Mr. BURTON. There was another woman there that had been there 2 weeks and they said they couldn't do anything for you and your children and for you to go back.

Ms. SAGA. Yeah. Yeah. They were—she told me, the other woman, that the people at the consulate tried to find someone who was helping that woman, and they couldn't. And so that woman

was convinced that nobody was helping her and she was helpless in the consulate. She has to—in the end, she was so afraid. She had to go back to her husband. And with her children. And although their children, I mean, her children were with American passports, she was trying to tell me that, look, my children have passports and they couldn't go, so my children are—they don't have passports, so she was trying to tell me——

Mr. BURTON. OK. So—I'm sorry to interrupt you. But this woman had passports for her children?

Ms. SAGA. Yeah.

Mr. BURTON. And did she have passports for herself, too.

Ms. SAGA. Yeah.

Mr. BURTON. So she had passports to leave the country and she's an American citizen and the consulate wouldn't do anything.

Ms. SAGA. No. No.

Mr. BURTON. And so she went back.

Ms. SAGA. She went back.

Mr. BURTON. Do you know what happened to her when she went back?

Ms. SAGA. I don't know what happened after she went there, but the reason she went back is because her husband has a—he had a paper saying that—from a very high position man that if she didn't hand him back the children he will throw her in jail, and she would never see the children again.

Mr. BURTON. So she had to go back because of that threat?

Ms. SAGA. Yeah. Yeah.

Mr. BURTON. OK. Well, go on and tell us what happened to you then.

Ms. SAGA. And so I stayed at the consulate, and I had to—at the first day I went there, because we were sharing the room with this woman, she had three children and I have two children and the room was—there was two single beds in the room. So they told me that I have to have some money because I have to buy sleeping bags and I have to buy food for myself and my kids; and, of course, I didn't have money because I ran away. I didn't have anything with me. And so I called my mom, and she transferred some money for me there.

Mr. BURTON. Why don't you pick up when they started talking to you about what you should do when you said you wanted to leave the country and just tell us what happened when the people came to visit you. Just go into the details of that.

Ms. SAGA. From the beginning they were convincing me that it's OK for you to go, but your children can never go unless their father gives the permission for them to travel with me. I actually went there with the belief that somebody would help me—I mean, from the government—to take my children with me safely to America. And when I saw that the consulate people were not helping, they just kept telling me that they can't do anything for the children. They can help me go out, but they can't help the children. I mean, help me take the children.

And Margaret Scobey went to Prince Saud Al Faisal, and he said also that I can go, but the children cannot go unless their father give them permission. So we were having meetings. Every day from 7 a.m. I would wake up, and I would go to the meetings with my

children. And every day they would keep saying that what do you want to do? What's your plan? And they would keep telling me again and again that I can't take the children.

And so 1 day they wanted me to go to the Saudi ministry—Ministry of Foreign Affairs and in the last minute I had communication with someone in the family who told me that the ministry, the Saudi ministry was planning to let my husband come to their office over there in a weekend day where there was nobody but the people who were going to talk to me. And in the last minute, I refused to go because I was so afraid that my husband would—if I was out of the consulate, he could do anything. He could take the children, he could let the religious police catch me or take me to jail. So I didn't go.

And so the next morning—or the same day, the consulate general called me before those Saudi officials came, 10 minutes before they came and from my——

Mr. BURTON. So you had no notification that the Saudis were coming to visit you until just 10 minutes before.

Ms. SAGA. No. I had no idea that they were coming to the consulate and into my room. So, from my surprise, they knocked on the door and I saw three men with three women from the consulate knocking at my door. And they walked inside and they started—I mean, the Saudi officials talking me into the same thing. We've talked to your husband, and you can't take the children with you.

And I'm sorry. I forget to say that day, before the men came, I had a phone call and the operator there said that the consulate general wants to talk to you. And so I said OK. And when I got the line, it was my husband talking from the consulate general's cell phone. And so I was trying to avoid talking to him.

Mr. BURTON. You didn't want to talk to your husband, but the consulate general——

Ms. SAGA. No, I didn't want to talk to anybody.

Mr. BURTON [continuing]. Called you and handed the phone to him?

Ms. SAGA. Yes.

Mr. BURTON. OK.

Ms. SAGA. And so I was forced to talk to him. And he told me that we can go to some kind of agreement about the children, but—and he told me later that the Saudi officials told him that if your wife ever took your children out of Saudi Arabia you will never see them again. And so they were making sure that he knows that there is a possibility of him not seeing the children, which I wasn't going to do that. I was going to find something, a visitation or something between us to see the children.

Other thing is that he told me that the Saudi officials told him—one of the Saudi men over at the ministry told him that, take your—just talk sweetly to your wife, give her whatever she wants, take the children, and then just leave her to deal with her own problems at the airport. And so I was so angry to know that, you know, they would go to such extreme to not let me take the children with me.

So when the Saudi men came they started talking about, you know, that we can't let the children go, and there is no chance for them to go unless their father said yes. And so, when I—and they

showed me a paper, which I thought that the consulate people, the consulate officials who—they were the one who wrote the paper.

Mr. BURTON. The document they put in front of you, you thought was written by the consulate people.

Ms. SAGA. Yes.

Mr. BURTON. Did they say anything to you about the paper? Is the paper where—Ms. Saga, this is the paper where you agreed to give up your children and not to see them unless the father said it was all right?

Ms. SAGA. Yes, the paper said that I am giving—by signing that paper I am giving up the custody of my children in Saudi Arabia. And when I signed the paper, I immediately knew that I shouldn't do that.

Mr. BURTON. Did you get any advice from the consulate people? Did they say anything at all to you like you ought to think about this or——

Ms. SAGA. No. They said this is your decision, and we can't force you into doing anything. And that's it.

Mr. BURTON. But you didn't have much time to think about it.

Ms. SAGA. No. And so I was so afraid, and I called my mother and told her what happened. And then the second day—I mean, the next day they wrote another document which says that by signing that paper I'm not giving up the custody of my children or—and so the whole issue was about the custody. There was no help for me to take the children out. They didn't even ask about my children. They said in the paper that I was asking for the children, yes. But they weren't asking for their exit.

After that, I—my husband started calling me at the consulate, and he said, look I am not going to—I will do anything to let you protect the children. I'm not going to let you—I'm not going to repeat what your father did to you.

And so I told him that I can't trust his word. So I asked him to write a paper in front of the Saudi ministry and the American consulate that he would never do such a thing, I mean, cut my children of me and he would help to let me visit them, see them anywhere outside of the United States and outside of Saudi Arabia. So he said OK, and he signed the papers.

But I've been here for 2 weeks, and I can't talk to my children. The only thing he is doing is he's letting me listen to their voices on the phone. But I can't talk to them because he can't handle their crying. And I tried to call his sister, because he's leaving the kids with his sister. I tried to call her, and I asked her to let me talk to the children, but she said I'm not going to let you talk to them, and—because I have enough children and I'm not going to—I'm not going to let you talk to them until they are with their father when he marries again.

And so that paper, in my thinking, was useless because he is already cutting my children from me.

Mr. BURTON. Let me—Ms. Harty, when she testified, said earlier that one of the women from the consulate, when they were in there with the three Saudi men, advised you not to sign that paper. Did any of them say, don't sign the paper?

Ms. SAGA. No.

Mr. BURTON. All they said was what?

Ms. SAGA. That this is your choice. If you want to sign, sign. If you don't want, this is up to you.

Mr. BURTON. But they didn't advise you to wait or to look at it or think about it or——

Ms. SAGA. No.

Mr. BURTON. Nothing. And they didn't say, don't sign it.

Ms. SAGA. No.

Mr. BURTON. Did they advise you to sign the paper the next day? Did they come up with the paper the next day?

Ms. SAGA. They gave me the paper and said, look, this is something that we can correct the other paper with.

Mr. BURTON. Did they bring that paper in without you asking for it?

Ms. SAGA. Yeah.

Mr. BURTON. In other words, they just brought it in and said, this will correct what happened yesterday.

Ms. SAGA. Yeah. Because I talked to the consular general and I said, look, I don't want that paper to be—you know, if you can just tear the paper or do anything, I made a mistake by signing that paper, so, please, I want to—I don't want that paper to be—that's not the thing I want.

Mr. BURTON. And so they brought the paper in later after that.

Ms. SAGA. Yes.

Mr. BURTON. OK. Now, I know this is just your opinion, or maybe you could just tell us, what do you think the U.S. consulate office and our consulars over there could have done to help you that they didn't do?

Ms. SAGA. Well, what I think is at least they could have asked for my children with the Saudis, because they were talking with the Saudis all the time. And they didn't—you know, I didn't feel like they were cooperating in my children's case.

Mr. BURTON. They wouldn't help you get your children. They said they would help you get out, but they didn't——

Ms. SAGA. Yes, for me it was OK to get out. But for my children it was hard for them to do that. And so they were leaving the thing up to my husband.

Mr. BURTON. OK. Ms. Watson, do you have any questions you'd like to ask?

Ms. WATSON. When the paper was in front of you, did they explain to you at all what was on that paper and what you would be committing to?

Ms. SAGA. They only gave me the paper to read. And they said, you read the paper, and they were telling me that's what they came—I mean, that's what they thought, it is something which is going to help in my case.

Ms. WATSON. Did at any time they talk about you as an American citizen and what your rights as an American citizen are?

Ms. SAGA. They told me that I can have an American passport, but I was told also that I have to have an exit permission from the Saudi ministry, even if I am an American. So either—both ways, I mean, if I went out on my Saudi nationality or my American nationality I would have to have the permission of the Saudi Government. That's what they told me.

Ms. WATSON. Were they talking about a visa when they talked about an exit permit?

Ms. SAGA. I don't remember the name, but it was something like a visa, permission for me to get out of Saudi Arabia.

Ms. WATSON. What I'm getting to, I want to know, did the consular from the American Embassy explain to you your rights and explain to you your rights in connection with the children whose father was Saudi Arabian? I'm trying to get to that kind of conversation.

Ms. SAGA. Do you mean my rights in going out of Saudi Arabia?

Ms. WATSON. And your children's.

Ms. SAGA. And my children. Well, as I said, they kept telling me that I can go out as American alone, but if I want to take my children, they have—because they have no American passports, so they would have to have their father's permission going out of the country. And I was told also that even if I'm an American citizen I have to have the government's permission to get out.

Ms. WATSON. When you initially took your children and went to the consulate or the Embassy, were you aware of what was required of you? Did you have any idea what was required of you and the children to leave Saudi Arabia?

Ms. SAGA. Actually, I knew it wasn't going to be easy, because there is—the people there are stubborn. They won't let me easily go out. But I hoped by talking to the American people here and to the media and by the help of the government I would take my children with me.

Ms. WATSON. What I'm really getting to in asking these questions is the procedure inside the Embassy. I was a former Ambassador, too, and I know what happened in my Embassy. I think it's incumbent on the Embassy staff, the consulars that deal with passports and visas, to walk you through your legal steps; and I don't know if I've heard you say that they walked you through it.

So you had an understanding, I heard you say, before you came you knew it wouldn't be easy, it would be difficult because the people were so stubborn. But I think the consular should have explained to you legally so that you would understand what you were up against and walk you through it. So I can't quite make out if you knew exactly once you got there what your legal rights were and were not and how they could help and could not help.

Ms. SAGA. Nobody at all talked to me about my legal rights. And all that they did, they gave me the application for the passport and I filled that application. That's all. I—no one ever spoke to me about my legal rights and what I should do and what I should do because I wasn't familiar with the American law. I lived there all my life.

Ms. WATSON. I think your case is probably not unusual in countries like that.

That's the reason why I made my statement, Mr. Chairman, because I was trying to put it in that framework. It's difficult for women in many of these countries, not only in the Middle East but Southeast Asia, down the Pacific; and I think there's something that we need to do in terms of our State Department process wherever we have an Embassy and someone looks for refuge there.

Particularly in your case and other American women like you, there should be a procedure—and I want you to respond—that will let you know exactly what your rights are, rather than encouraging you to go back into a situation that would put you at high risk. And we know the risk.

I thank the chairman—thank you for holding these hearings. Because we have heard from people just like yourself, the actual facts to their captivity. I like to call it captivity.

But, anyway, we might be able to, through legislation, develop a procedure so you will know exactly what you're going into when you leave to go—and if you go into a consulate, if you go into an Embassy, what to expect. They should walk you through so you will know your legal rights and your children's rights and the rights of the person whose country you're in. That would be helpful to you so when you call your mother you can say, look, I can't get the kids out, but I can get out and maybe we can fight in the courts, the international courts, to get our children.

But would that be helpful? Is that a step that we need to take?

Ms. SAGA. Yeah. Actually, it would be helpful, but the case in Saudi Arabia is the power of men over there.

Ms. WATSON. Exactly.

Ms. SAGA. Even if the woman knew that when she goes to the consulate or an Embassy she should do this and this and this, but—and she couldn't do this and this, but the problem is, if there is anything, I mean, to help the women over there, because I think this is the country where a lot of women are unable to come forward and say that I want to get out of here. And if there is anything which can help those women, I mean, to make the power of those men less on those poor women, I would say that would be a great thing to do.

Ms. WATSON. Thank you. It is broader and bigger than just your case. It is the case of all womankind in these developing or underdeveloped countries and their treatment of women. It is a struggle for women's rights.

Ms. SAGA. Yes.

Ms. WATSON. Thank you so much for your testimony, and thank you so much for your responses.

Mr. BURTON. Let me just add—thank you, Ms. Watson.

Let me just ask a couple more questions, and then I will yield to Mr. Ose in case he has any questions since he's returned.

Do you still fear your father? As I understand, he has a visa to come to the United States and works for, was it, a U.S. company?

Ms. SAGA. He lived here and studied here. He married my mother. So he have—he has a green card, so he can come freely here.

Mr. BURTON. He has a company that has business here in the United States?

Ms. SAGA. Yes. He works for Aramco.

Mr. BURTON. Aramco?

Ms. SAGA. Aramco.

Mr. BURTON. Does he travel back and forth to the United States?

Ms. SAGA. I don't know, really. He have trouble several times, but he doesn't tell.

Mr. BURTON. But you still have concerns about your safety?

Ms. SAGA. Yes.

Mr. BURTON. Do you think that he would hurt you if he had a chance?

Ms. SAGA. Yes.

Mr. BURTON. Now I know you can't speak from experience or from personal knowledge, but do you think there is a lot of women—American women over in Saudi Arabia that would like to leave there that are suffering from the same kind of problems you do?

Ms. SAGA. Yes. Yes.

Mr. BURTON. Did you know of any others that you think would like to leave if they could?

Ms. SAGA. Well——

Mr. BURTON. You don't have to give their names or anything.

Ms. SAGA. No, actually, personally, I didn't know someone who wants to get out. But I know some women—American women over there which have—they had problems, divorce problems and problems with the children, and I've heard stories about them. And from the—I think most of the families there have the same story: A man goes to the USA, and he marries a woman and have children, and then the problem begins.

Mr. BURTON. He, in effect, owns them.

Ms. SAGA. Yes.

Mr. BURTON. Is there anything else that you would like to say maybe?

Let me yield to my colleague, Mr. Ose, first to see if he has any questions, and then we will ask your mother if she wants to make any comments.

Mr. OSE. I would be happy to get my own time, Mr. Chairman.

Mr. BURTON. Go ahead.

Mr. OSE. OK. I just want to clarify something.

I apologize for having to leave. I got scheduled into the Chair over on the floor from 3 to 4.

I just want to clarify something. I understand that the representative from the Saudi Embassy did not show, Mr. Chairman? The representative from the Saudi Embassy did not show?

Mr. BURTON. No. They sent a statement over from the Saudi Embassy, and she was supposed to testify, but she didn't show up.

Mr. OSE. And I also understand that there was a discussion here about Ms. Saga's citizenship in the sense that she had not spent the requisite 5 years continuously in the States in order for transmission to take place, is that accurate?

Mr. BURTON. As far as the children are concerned, right.

Mr. OSE. So if I understand the following on to that particular thing, I just want to say, Ms. Saga, Ms. Dornier, this isn't directed to you. I just want clarification. If I understand then, the fact that our government and our State Department cannot, if you will, for lack of a better term, liberate these children, they are in effect being asked to relinquish that which billions of people seek but their own government can't protect, which is their citizenship. They are held hostage in a foreign country to a date certain beyond which they cannot comply with the laws of this country to effectuate transmission? Do I understand that correctly?

Mr. BURTON. That is correct. The lady that testified earlier, Ms. Harty, she indicated that there is a provision in law that allows

them to, if they come to the United States, to stay while seeking citizenship. But as far as being citizens with the rights of the United States, they aren't.

Mr. OSE. I may have missed this discussion. Was there any discussion from Ms. Harty about accommodating or addressing the circumstances under which a child, a minor, whose actions and activities are—frankly, are legally constrained in the first place, but where the presence of a minor in a foreign country, physically prevented from coming here, loses their citizenship? There is no provision in the law for addressing that?

Mr. BURTON. According to the law as it has been presented to me and as she mentioned in her comments, if the parent, the mother has been out of the country for more than 5 years and she was a minor when she went over there, her children, the issue of that marriage is not considered an American citizen. But they will allow them to come to the United States under a visa, and then they can go ahead and make application for citizenship.

Mr. OSE. So if I understand—I had a constituent. She moved to San Francisco, as I recall. She had two daughters who were abducted and remained in Saudi Arabia. They have now become of majority age under our laws. They have lost their citizenship?

Mr. BURTON. No. No. She was an American citizen when she had the children.

Mr. OSE. Correct. So the children were not here for the requisite number of years.

Mr. BURTON. No, they are talking about the parent. If the parent was out of the country for 5 years and they had children, those children did not gain American citizenship as a birthright like you would if you were born here.

Mr. OSE. So what if the parent comes back, but the children do not?

Mr. BURTON. Well, that is the problem we have right here.

Mr. OSE. That is my point. I have a former constituent——

Mr. BURTON. Her children in effect have no rights as an American citizen, even though they were born of an American citizen.

Mr. OSE. I dare say the Saudis know this.

Mr. BURTON. They do know this.

Mr. OSE. I have to say, Mr. Chairman, I am somewhat pleased to see the administration start moving our military to Qatar and Kuwait and Bahrain. It gives me a great deal of pleasure to understand that we are at least taking what appear to be some steps to no longer defend that which is indefensible.

And I don't have any questions for Ms. Saga. I mean, I can't tell you how pleased I am to have you home. I mean, as I understand, you are in Fresno, which is, if you will, down valley from where I am. And I am pleased you are here. I am sorry your children are still there.

Ms. SAGA. Thank you.

Mr. OSE. I just—Mr. Chairman, I am at a loss for words.

Mr. BURTON. Well, thank you, Mr. Ose.

I think we have covered just about everything.

Ms. Dornier, do you have any comments you would like to make since you are here for your daughter for the first time in a long time?

Ms. DORNIER. I apologize. I thought that I was going to have a chance to make a statement, and so I did prepare something. Is that possible?

Mr. BURTON. Sure. You are welcome to that right now.

STATEMENT OF DEBBIE DORNIER, MOTHER OF SARAH SAGA

Ms. DORNIER. Thank you very much.

In 1975, I met a man who called himself Steve and appeared to be an American. We dated, and later I found out that I was—once I was already involved with him, that he actually was a Saudi named Waheed Saga. And many asked why I married him. To me, he was different from the other Arabs. He was very Americanized.

We married; and over the years he changed, especially after Sarah our child was born in 1979. He became more abusive and unreasonable; and in our divorce negotiations, he wanted to take her, then age 3, to be raised by his mom. I got him to compromise by agreeing to allow her to visit his family in the summers, knowing that his family had been very supportive of me in the past.

Initially, he did this, but then in 1985 he took her and refused to return her. I offered to go be his mother's maid so I could just be with her. This plan seemed to be progressing, but he said I would have to give up my American citizenship, marry him, and become a Saudi. After the advice of my family and much prayer, I decided that I could have more success from here than from there.

Once informed of this decision to stay here, he cut me off from all contact with Sarah, and what ensued was years of silence. I tried to get a bench warrant and take legal action against him, but all avenues required my notification of him of my efforts. This I could not do, because in our first conversations after the kidnapping, he promised me he would kill Sarah if I tried to get her back, saying she was better dead than ever returning to this evil country. Even to this day, members of his own family believe he would do this without a second thought.

The State Department at the time promised they would have record and passport available to her if she could ever get to the Embassy but that they could not risk relations for Saudi Arabia for one child.

To say I was upset would be a gross understatement. My hands were tied at every turn. I decided not to risk her life by going to the media and prayed that in time things would change.

Then, in 2000, just 1 month after we celebrated Sarah's 21st birthday, telling the younger family members stories about her and celebrating who she was, she called. The tremendous joy was so incredible. She was alive.

We renewed our relationship, and the tales of abuse and torture she told me broke my heart. But at least we were in contact again. Then 1 day, after many attempts to try to get her husband to let us meet, she said, mom, I can't live this way anymore. I have to take my children and get them out of here. And so began our quest to help Sarah come home with her babies.

We heard of Pat Rausch via Internet searches on Saudi abductions, and she along with others helped tremendously in the coming months to facilitate Sarah's escape. Ultimately, Sarah was able

to get her husband to take her to see her grandparents near the consulate in Jeddah, and that evening there in California I waited what seemed endless hours to hear if she had safely made it into the refuge of the consulate. Never did I expect that first call would reveal that the people there at the consulate would already have tried to convince Sarah to go back home.

In the days to come, I had to explain to officials that in fact her life was in danger if she left the consulate compound. She was constantly telling me that she had meeting after meeting. Each time they gave no hope to help her get her kids out. The consular officials were unwilling to represent Sarah's best interests over that of the Saudis.

First they told me they were not equipped to have Sarah there because someone else had sought refuge there and was using the apartment. When convinced that Sarah was unable to leave, then I was told—they told me that I need to send money for Sarah and the kids to eat because the consulate had no funds to pay for their food.

Even Matthew Gillen from Overseas Citizens Services didn't tell me he was supposed to be my Stateside, State Department contact until the Fox News correspondent found out for me days after our first conversations. We had spoken a few times to facilitate getting money to Sarah and briefly get background details on her case, but that was all. It seemed that no one wanted to help Sarah come with her kids from there.

On one occasion I asked Mr. Gillen to have officials stop pressuring Sarah to sign documents of which she could not know the legal ramification or even understand without legal advice. He said he could not do this; she was an adult and could make her own decisions. When I pressed the issue, I explained that by leaving at six she had no concept of her rights under American law; and I suggested that—he suggested that I was making a big deal out of the issue, but that there were lots of lawyers the consulate might be willing to work with, and he could fax me a list. When I received the list, they were all Saudi men in Saudi Arabia who could not be necessarily assured that they would represent Sarah and her children's best interest over that of the Saudis.

By the time I had procured an American lawyer, they had not only refused to fax us a copy of the documents they were having her sign but had already worn her down to the point of exhaustion mentally and physically such that she agreed to take the best deal that she could get to keep contact with her kids and come home to continue the fight for their freedom.

To date, every promise made to her at that time to keep contact with her children has already been broken. She has only been allowed to hear her children's voices in the background of phone calls and not to speak to them. The loss is unbearable for her. But we stand together to fight for as long as it takes for her children to come home.

As always, we remain concerned that her father Waheed Saga holds a green card to the United States and works for an American company Aramco there in Yanbu, Saudi Arabia. We have no doubt that, if he could, he would silence us both for good. To date, we have not been successful in preventing his entry into the United

States as a deterrent to further violence against my daughter or myself.

Ms. Harty said that now Saudis are saying that adults will be allowed to return, but let me point out that by that time they will most likely be mothers themselves and required to leave their own children behind, perpetuating to a new generation this atrocity.

In closing, let me just say that if a woman must go through what Sarah did at the hands of her own government consular officials, I am sure few will flee for home. As Sarah told me herself, they could have easily been Saudis, not Americans, as they were preoccupied with saving Saudi pride and their business relationship with Saudi Arabia, rather than her rights as an American. Even as she left, they told her one more time to avoid the media as it might embarrass them.

Freedom of speech is one of the most precious freedoms our great forefathers have left to us. Representatives in our consulate in Saudi Arabia might do well to remember such is the great heritage of all Americans. Thank you.

Mr. BURTON. Ms. Dornier, let me just say that I apologize for not letting you make your statement earlier. We were anxious to hear from your daughter and hear her story. But that was a very moving presentation, and I hope that everybody who heard it will take it to heart.

Ms. DORNIER. Thank you.

[The prepared statement of Ms. Dornier follows:]

STATEMENT OF

DEBRA A. DORNIER

"INTERNATIONAL CHILD ABDUCTION: THE ABSENCE OF RIGHTS OF AMERICAN CITIZENS IN SAUDI ARABIA"

BEFORE THE

SUBCOMMITTEE ON HUMAN RIGHTS AND WELLNESS
COMMITTEE ON GOVERNMENT REFORM

U.S. HOUSE OF REPRESENTATIVES

JULY 9, 2003

On September 21, 1975 I married Waheed Siraj Saga, a man I had met at Holy Names College the year before. Initially our marriage was pretty normal until the birth of our daughter, Sarah Waheed Saga. Just after this he lost his temper and beat me so badly that I left him for a time.

After I returned we moved to Austin, Texas for him to finish his degree at the University there. Our marriage became unbearable and eventually I returned home to California for a trial separation.After a year he came and demanded I return to him. I refused to do so and he immediately left for Texas and filed for divorce. He wanted to take our daughter and send her to his mother to raise in Saudi Arabia. I was able to get him to agree to take her for visits in the summer as a compromise. Our divorce was final on June 16, 1983. Then in 1983 he moved to Miami, Florida to finish his studies.

The first two years he took Sarah and came back without a problem. Then in 1985 he asked to take Sarah in September saying that he had had an operation that summer, but his parents still were wanting to see her.He promised he would only be gone one week because he,too, would have to get back to school. Ultimately I agreed and on September 19, 1985 I put her on the plane to meet her father in New York so they could travel on together to Jeddah, Saudi Arabia. She had just turned 6.

On the day they were due back, September 27th, their flight had been canceled so I called to find out the new arrival information. It was on this phone call that I was told that Waheed and Sarah would never be returning. He said it was in her best interest to go to school there and that she would have a better life than she could have with me. I went through a range of emotions from shock to frustration to rage and ultimately spoke again to Sarah telling her that I had never meant for this to happen and that I would not stop till I got her home. I told her I loved her and not to forget that and through the tears we repeated "I love you so much" over and over again. I told her to be good and to ask her daddy and grandparents to help her be with her mommy again.I spoke to family members to no avail. The only offer I got was to try to help me get into Saudi Arabia to live so I could be near her.

Over the next few days I convinced Waheed to let me come and live there so I could be near her by begging to even be his mother's servant. My plan was to get there and escape with her....but he was suspicious and told me I would have to remarry him, give up my American citizenship and become a Saudi, and that he would never allow me to be alone with her ever. At first I agreed to it all. I was desperate to be with her whatever the circumstances. He assured me that if I tried anything he would just kill her to avoid her having to live in the "evil" United States ever again.

I sold or gave away all I had, quit my job and began to prepare to leave....all the while secretly planning to somehow, some way get us both out of there and back to America. Just before I was ready to go I got some advice from a family member who said that since he had been so physically abusive to me it was likely that by going there I would be unsuccessful in accomplishing my plan. He suggested I would have more power to achieve her freedom by working from here through the American government. It sounded wise and after much thought I made the hardest decision of my life....I decided to stay and work for her release from here. I was soon to find out that this decision was effectively the cause for contact to be shut off between her and me for the next 15 years.

I told her father that I had changed my mind and right away he changed their

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phone number and began to return any and all mail and packages I sent to their post office box there in Jeddah. I was devastated. Silence.

I retained a lawyer in Texas to file related documents showing he had violated the custody agreement on October 4, 1985.I talked to the State Department, Saudi Desk and spoke with Jim Schullar who referred me to the Border Patrol and the local police, FBI, and the Department of Justice to file the necessary papers. When I called the local police to start the process I was told by the Concord City Police officer that came out to my home that he had to notify Waheed of my report. That was the law. Unfortunately I could not take the risk of Waheed thinking that I was going to try to get her because I knew all too well he would carry out his threat to kill her. So I was stopped dead in my tracks. There was nothing I could do here without his being notified there. And if he was notified she could likely end up dead. In the next few months I called the State Department back and asked to have Passport Services have a passport ready for her in case she could get to the consulate. I was assured this would be done and she would be "registered" as being on the list of children there. Sharon Mussomeli offered to have a welfare visit made to check Sarah's condition, but I couldn't risk upsetting her father and his thinking I was trying to get her home -- that could mean her death. So I turned down the offer. Then when I spoke to Elizabeth Soyster she again talked about a Federal Warrant and putting him on the Visa Lookout list, but again this would require notifying him. At each turn I was coming to a dead stop. Over the years I tried the District Attorney's office, so many different people but to no avail. It was useless. I even wrote Nancy Reagan in the White House thinking that surely another mother could see the desperate nature of this crime and find a way to come to Sarah's aid. On December 2, 1986 the US Department of Justice drafted a letter to me from the Office of the Assistant Attorney General making me aware of the Hague Convention and saying that they were hoping in the near future this document along with legislation might give assistance to those in Sarah's position. It was signed by John C Keeney, Deputy Assistant Attorney General.

It appeared that all avenues were dead ends. Over the years I have felt more and more frustrated at our government's lack of power or willingness to act in this situation. On one call to the State Department I was told that the United States could not risk its relations with Saudi Arabia for one child! It because increasingly clear that the answer did not lie in my government assisting me.

I turned to my faith in God. I prayed for Sarah's safety, for her to remember me, and for the opportunity to see her again. In those times when I was most depressed I asked for the Lord to hug her for me, to send her someone to let her know I was still here waiting for her and loving her.... to keep up her hope. There were many nights when I was awakened and felt I needed to pray for her....and I did. I now know there were many times she may have needed my prayers in her very desperate situation.

In 1988 I entered a program to become a teacher. I hoped that by becoming a teacher I could in some way help children here in the United States, and I prayed that someone would be able to help Sarah there in Saudi Arabia.

Around her 10th birthday in 1989 I got three pictures in the mail of Sarah. I don't know who sent them. There was only a note on the back of one of them--but at least I knew she was still alive! Then just after mother's day I got a desperate call from her. She was trying to ask if I was still a muslim, if I still loved her. It was a heartbreaking

call as I reassured her. One or two calls followed and then once again silence.

Again I made inquiries at the State Department and nothing, it seems, had changed in the least. I did however find out that the Hague Convention was not recognized by Saudi Arabia.

I continued to wait and pray because all doors seemed shut. To be the mother of a kidnapped child is to always and everywhere carry the memory of your child in your heart and on your mind. The world goes on with Mother's Day, Thanksgiving, Christmas and a thousand other celebrations and events big and small....and in each and every one you feel the lack of your child. though one who is missing. People ask you if you have kids...and you want to tell them yes, but do you dare blow them away with your story. For when they hear it they are appalled, shocked, speechless, moved to tears.On greeting cards and in countless other ways when you send wishes and you sign them you remember the one for whom many have quietly forgotten and do you add their name? They are still a part of your family, still ever so alive and precious in your heart.....for you can never forget that your family has a member that is absent, yet not gone. It leaves a hole in you that can never be filled again except with the return of your child. Those who have lost a loved one to death grieve and also have to go on, but they know their loved one is gone forever. A kidnapping means that you always grieve the loss, but there is never closure because you don't know if your child is alive or dead, or even where they are or what they are doing. It's a sort of overhanging concern. People who love you step around the issue because what can they say? What can they do? Just comfort you and try to understand your broken heart. And day by day you get up and you go on and you pray that one day the devastation will end.

We decided that for Sarah's 21st birthday we would have a great celebration and we had a party as if she were here. She had younger half siblings and cousins who had always been told about her, but didn't know her personally. So, on this day we wanted to "celebrate her". My sister bought 21 red long-stemmed roses, and we decorated as we always do for birthdays. We brought out all the pictures we had of her and told stories of her life and the events and memories we had of her. We ate cake and sang Happy Birthday and wished her the best wherever she may be. We just had to remember our dear Sarah on her day even if she couldn't be here to celebrate with us.

Then exactly one month after Sarah's 21st birthday my mother came home to a call on her answering machine. It said, "Grandma, this is Sarah. I hope I can still call you Grandma." Mom called me and what screaming for joy we did! Over the next few days there were missed calls and calls cut off, but finally we got Sarah's number and I called her. What a WONDERFUL call that was. It was so obvious this was my Sarah. We talked and talked....and over the months and years to come we talked on the phone, emailed, and sent cellphone messages to each other. I learned about her life and her family and some of the hard times she had experienced. We so wanted to meet but it seemed that at every turn our plans would be thwarted to do so.

Finally, Sarah found out that her father had told her husband that he could let her talk to me but he could NEVER let her see me. Once we knew this, then we knew that her husband would never agree to actually allowing us to meet. Sarah became very depressed and upset. She wanted so badly for us to get together. I knew that

someday we would, but she felt a compelling need to see me as soon as possible. It was hard for her being a young mother and not having her mother there to help her. I tried to encourage her to work out the problems and be patient with her husband. What I didn't know was that she had only been telling me part of the story -- she didn't want me to worry.

One day Sarah said she couldn't stand it any more. She said she HAD to leave and do it very soon. She actually had her husband take her to her grandfather's house and leave her there. She talked of splitting up with him.Then her father said if she didn't return to her husband she would have to come live with her father. She absolutely could not do this because of the horrible treatment she had received in her father's house. There was NO way she could risk having to live there ever again. In the end she did return to her husband because she wasn't yet ready to go into the Consulate. This was a very difficult and depressing situation for Sarah and for me for I love her and hated to see her so caught.

She went back to Mecca and things were a little better at first. Later it not only got worse but she began to tell me how her husband berated her verbally even in front of his family. He started to be gone all the time and just come home basically to change. She thought that maybe he had a new wife he was gone so much -- and so verbally abusive when he was home. There were money problems because he wasn't taking his responsibility of providing for the family appropriately. In Saudi Arabia women can't drive or go for a walk so they are dependent on the man to buy groceries and whatever is necessary for the running of the household. Adham was not doing this nor was Sarah able to pick up the slack herself. She was tied in knots. By this time she had lost a lot of weight and her hair was falling out in handfuls. She was sure she had no other choice to leave, and so the discussion began in earnest as to how and when she would get out.

During this time Sarah had been in contact with another American woman who was is a difficult situation and was also planning to get to the Consulate in Jeddah for help. They both planned to go at the same time The other woman made it in, but just about this time Sarah's son got chicken pox. She nursed him until he was better and the other woman was nervous about Sarah not yet being there. She called on the consular line and actually had a consular official speak to Sarah asking details of why she, Sarah, had not come in, where she lived, etc. She told them she was trying to get in but it was difficult because she was in Mecca and could not take a taxi for fear of the Religious Police stopping it. She told me she asked if they could send a car for her and they said they could not do such things. Her husband came about this time and began to bang on the door of the room where Sarah was and so she had to hang up. Sarah was petrified that having spoke to this official meant that they knew she was coming and perhaps her father would find out what she was planning. For the next 3 days we were both afraid of him showing up and hurting her. He did not and eventually we breathed a sigh of relief that obviously the consul had not notified him. Then her daughter got chicken pox. Again she spent many sleepless nights nursing Hanin. By this time we all had frayed nerves and we counted out how many days until Hanin would no longer be contagious. That fell to Sunday June 15, 2003.

I spoke to her often these days. We could speak somewhat freely because Adham did not speak English. That last call she told me to pray, she was going to try to

convince him to take her to her grandparents to visit because her grandpa had just had surgery. We ended the call as always saying how much we loved each other and I said to her, "I'll see you soon, my love." And then I prayed.

She tells me that she got him to take her to her grandparents but it was too late that night to get to the embassy. There had been bombings that day in Mecca and she later told me it "looked as if there was a war going on". It took them hours to make the normally half hour trip from Mecca to Jeddah. That night we spoke and she was finally safe in Jeddah. Her plan the next morning was to rise before everyone else and go to the nearest store with her kids, and from there take a taxi to the Consulate to be there when it opened.

In an effort to be as accurate as possible I will list the events of the next few days as I recorded the information.

Day 1 - Monday morning in California(times are Pacific Standard time)
12:45 am Sarah called crying and very upset. Another woman in the consulate was telling her she had been there for 2 weeks and that there was no hope of getting home. She told Sarah to leave and go home. She said to her this was just a "game" and that no one in the United States knows about their case.

1:29am Sarah said that she was going to have to leave because they were telling her they could not help her. I reminded her to explain about the danger from her father.

1:35am After speaking briefly with Sarah I spoke with Loren Mealey asking her to keep Sarah from being harassed by the other American woman, Debbie, who was upsetting her and telling her to go back home. Loren said they would have to stay in the same apartment because there were no other facilities to house people. She became curt with me and hung up on me before I could speak to Sarah saying, "I have got to take care of this case".

2:02am Margaret Scobey returned my call. Again I requested Sarah be separated from Debbie for her peace of mind. Margaret said there was no other place to put Sarah and questioned whether Sarah was in any real danger. She ended stating that if Sarah felt her life was in danger she was welcome to stay but would continue to be housed with Debbie. When I told her I'd heard that business people had been housed in the consulate from time to time so there must be areas available, she responded that no businessperson has ever been put up in the consulate and that no office space could be freed up to separate Debbie and Sarah. I was very frustrated because this woman was agitating Sarah who was already a mess from having to take her life in her hands to get to the consulate only to be told they thought she should return home!

During the conversation I was told they were 'having a hard time' finding a Privacy Act form for Sarah to sign. Then 3/4 of the way through the conversation Margaret said that Ken Sackett, the man in charge of the Jeddah consulate, was on the line with us! He had not said a word and I had had no idea someone was listening to us. At that point he began to ask the details of Sarah's kidnapping and at one point said there is 'no magic that can make it[Sarah's return home] happen'!

2:42am After several problems reaching Sarah through the operator, Loren gave me

Sarah's extension.

2:49am Sarah advised me that she would need me to send her money to be able to stay in the apartment. She had only brought 100 riyals and the consular personnel had given her children cookies and juice, but couldn';t give her anything else. She said she would also need to buy sleeping bags for her kids because there were only 2 twin beds in the room and Debbie and her children were using them. She, Sarah, was going to sleep on the couch and her kids on the floor. She gav e me the name of a man called Gillen and his number but wasn't sure who he was, just that he could help her get the money.

She said she was still asking for the Privacy Act to sign since she came in, but still hadn't recieved one to complete.She said it was the first thing she asked for when she came into the consulate, but they just asked her information about herself and her situation.

3:05am I called Matthew Gillen at Overseas Citizens Services. At this time I was unaware he was part of the State Dept. I left him a message to call me back.

5:27am Loren returned my call and agreed to shop for Sarah and get her groceries once her money arrived. Sarah advised me that Debbie, who had been in the consulate for almost 2 weeks, was returning to her husband today.

5:52am Debbie told Sarah she was going back to her husband because she had been there 2 weeks and no one was able to help her. Her husband had gotten a paper from a Prince who said he would throw her in jail if she attempted to leave with her kids. She was very afraid both to get thrown in jail and to lose her kids.

6:14am Matthew Gillen returned my call and gave me details on how to wire the money to Sarah. He said he would make sure it got to her. He did not advise me he was part of the State Department.

8:15a Several calls ensued between me, Western Union, and Matthew Gillen. During one of these I asked him just who he was and at that time he explained that he was an American Citizen Services Specialist,Foreign Service Officer to help people "in the field", with the State Department helping officers overseas! He said he had been looking for Sarah's papersand the papers weren't there probably because it is against the law to keep documents after a certain time.He had only been there for the last 2 years and didn't find anything. He asked for the details of her abduction and I advised him the names and dates of the people I had contacted in the State Department -- who had promised me that a passport would be ready for Sarah at the consulate if she ever could get there. He said they had to record of this. He asked me why she had gone to the consulate and what our plan was to get her out! I told him that she had gone to seek refuge and the assistance of her government to get her out. I also told him that I thought it was HIS job and the job of the State Department to assist Sarah in getting out. He kept saying he would be interested in our plan. I told him the only plan I had was to help her get to the consulate thinking that as the US representative in

Saudi Arabia THEY would be able to assist her in exiting the country. He did not seem hopeful, but said the Deputy Secretary was aware of her case.

9:50am When I spoke with Sarah she said the consulate officials were trying to get her to call her husband to let him know she had not been KIDNAPPED by the consulate! She told them she did not want to talk to him or her father under any circumstances. She was very afraid of them both.They also kept asking her who was the government official her mother was working with to handle her case. I gave her Congressman Burton's name to give them.

10:49 am When I called Sarah she was very upset. She said they told her that no one knew about her case. They suggested again
she go back home and told her "it's a game".

7:30pm Sarah found out her husband has a friend in the Saudi National Guard that is guarding the consulate. I advise Loren of this information. She said she would contact security.

11:49pm Sarah advised she just filled out her application for a passport. She said Loren told her she should be sure she really had had a passport or her checking the 'yes' box could be considered lying. I verified she had had a passport and gave her the old passport number. I also advised her that I had given the number to Matthew Gillen earlier in the day!

Tuesday in California
2:35am Sarah advised that Debbie is leaving to go back to her husband today. She also did not yet have her money that I had wired and was running low on cash.

5:35am Sarah said Debbie had left at 2pm Jeddah time. She said that Debbie's husband had gotten papers from Prince Naif(sp?) with orders to escort Debbie to jail if she tried to leave with her kids.
Sarah said she only had enough money left for a Pepsi for the dinner meal and she would share that and 2 pieces of pizza (Debbie left behind) with her kids.
She said she had had a meeting with the Consul General(Gina) and Lorend and they informed her they'd met with the Saudi government on her behalf. They were wanting meetings with Sarah and her husband jointly. Sarah refused to meet with her husband and once again told them she wanted a divorce and to come to the United States for good. ...never to return to Saudi Arabia. They said they could get her out but the kids would have to stay.

6:15am When I called Sarah said,"They're doing something". She said they want me to go with them, Loren Mealey and Gina, and the kids to the Foreign Service Mission Offices of the Saudis. Sarah said she could not go out. They said they would be back for her the next day, Thursday. She said Margaret said that because of their pride the Saudis would 'turn their backs on us if you embarass them' because they are so proud. Sarah said she did not want to embarass them but that she was using the truth

to get out of there. She told them of the terrible abuse she suffered at the hands of her father and others and she said, "Aren't I human?"!!!!!

The general read her several press releases including CNN, Reuters, and others.

6:26am When I called Sarah advised me that her husband had seen her passport application with our address on it! She was furious as this was a private document and put us potentially at great risk here in the US. Sarah was still asking to put general public on the Privacy Act document and had not yet been given the document to correct it.

7:45am Sarah had not yet recieved her money.

8:30am Sarah is very hungry. Loren agreed to bring Sarah groceries on the weekend **once her money arrived** but Sarah would be on her own for dinner since the retuarant was only open for lunch and breakfast.

11am M. Scobey said she spoke to the Prince at the Foreign Service Mission and he said Sarah could go but the kids must remain. . She also advised Sarah NOT to interview with FOX saying it would only cause problems.

Day 3 Wednesday in New York(Eastern Standard Time)

3:52am Sarah said Scobey was still advising her not to put anything in the press. She suggested again that Sarah call her husband and get him to take them all on an extended vacation to America or have me go to visit them there in Saudi Arabia.

10:15am Sarah is saying that they can sneak her out of Saudi Arabia on a 2am flight before her father knows about it ensuring her safety. They are not saying her kids can go. They will have her sign over custody of her kids to her uncle and aunt. Sarah has initially agreed but then decides this will not work.

I speak to Matthew Gillen and ask him to have the official stop pressuring Sarah to sign documents until she can have the advice of an attorney. He says that he cannot do that because she is an adult. I point out that she is not aware of her rights under US law to an attorney because she left at age 6!!!!! He says he thinks I am making a big deal out of this that we are not in court so why does she need an attorney?! Finally he suggests that the consulate may be willing to allow her to have legal representation from a list of lawyers he will provide me! He faxes me the list -- all Saudi lawyers living in Saudi Arabia! He implied they would not be willing to work with other lawyers.

Day 4 Thursday in New York

Early in the day I spoke with Sarah who had decided to tell Loren that she would not go to the Foreign Service Mission because it was too risky to leave the consulate and this being a weekend Sarah was concerned who would be there!

On my next call to her she said that Loren told her that in 10 minutes Officers of the Foreign Service would be there to see her. We were very afraid they would take her kids!

About 10 minutes later I tried to reach Sarah, but a woman answered her phone and said Sarah was in a meeting and couldn't talk now. She hung up the phone and the line did not answer for the next one and a half hours.

10:56am Sarah was so distraught. She said, "Mama I've lost my kids. They came into my room and got me to sign a paper and the minute they walked out the door I knew I'd made a mistake!"She told me Loren, Gina, and another woman from the Riyadh embassy came into Sarah's bedroom with 3 officials from the Foreign Service Mission. She said they told her, "let us explain your problem to you". She said she kept telling them she could not leave her children behind. But one of the men said he had talked to her husband who said he had done nothing wrong and that Sarah had just decided to leave him.They suggested she have a vacation to see her Mom and not cut relations with her husband. She suspected that they man who spoke to her husband may have been his friend that got him the information about the passport. They gave her a paper that she thought the embassy had written and she finally gave in after a couple of hours and signed it.

11:36am Teril Schultz, Fox News Correspondent at the State Department advises that Sarah does not have to abide by the document she signed because it was not an American document, but generated by the Saudis. They said she could change her mind and whatever decision she made they would support her.

Day 5 in New York
1:30 pm Sarah says that consular officials are faxing copies of the papers she signed to us, but after several tries we still have not recieved any documents. Gina tells her that she's really upset because I am saying to the press that the consulate is not helping her get out. She also says they have had her sign a Power of Attorney that is not legally binding until she gives it to the person. Since we still have not recieved documents, Sarah reads the documents over the phone word by word. On the back of the Power of Attorney is a disclaimer that the document should not be entered into without the advice of an Attorney.

2:30pm Matthew Gillen calls and tells me Sarah can eat for free in the cafeteria when it is open, when it is closed she must give money to Loren to go buy her food. I asked him why he didn't tell me he was my 'contact' here in the states with the State Department.(This information was given to me by Teri Schultz from Fox.) He said he was sorry I didn't understand.

Day 6 in California(Pacific Standard Time)

Sarah advised that Gina had given Adham her cell to use at a meeting at the Saudi ministry office and he talked to Sarah on the phone asking her to see the children.

This after she had repeatedly said she did not want to see or speak to him. She said he could come to the consulate to see the kids which he did. When he came he convinced her to agree to separate and said he would take the kids and let her see them whenever she wishes. He promised to not keep her from her kids. She agreed, tired and frustrated. It was upon this agreement that she decided to leave on good terms with him would work out ....hoping to fight for the kids from here.

She has been home two weeks and still has not been allowed to speak to her children. The agreement was never kept.We fight on.

Debra A. Dornier

Debra A. Dornier

Mr. Burton. Do you have any more questions, Ms. Watson?

Ms. WATSON. I don't have a question. I just have a comment, Mr. Chairman; and, again, I want to thank you for pursuing this.

I feel very deeply the experiences you have and the fact that I think our government has really let you down. I saw it occurring in my own Embassy where I had to step in, and I intend—I want to make this commitment not only to the two of you and those in the audience but to the Chair, that I am going to pursue this issue and so that we can train our turf—everywhere we have an Embassy it is U.S. turf—and the people on that turf to treat Americans with respect, to treat Americans with compassion, to be sure they know their rights, and to intercede for them on that post, in that land where they are stationed. I think that is the least we can do.

And your last line confirms it. As Americans, we have an obligation to you when you are on this turf, the United States of America, or turf sitting in Saudi Arabia or sitting in China, we have a responsibility to you.

There is something missing in the State Department, and I can't describe it; that is for another discussion. But you have my commitment, and I am sure the Chair will remain committed. And, again, thank you.

Mr. BURTON. Let me just end up by saying, first of all, thank you, Ms. Watson.

It is nice to have you back. We will continue to work to see if there is something that can be done to bring your children home. I am convinced there are hundreds, maybe thousands of women like you in Saudi Arabia who would like to come back.

One woman told me: Just put me in a box with my kids, stick me anyplace on a plane, just get us out of here. And she told me her husband would kill her, and she gave detailed information on how he would kill her which I am not at liberty to talk about because he might know who she is if it was on television.

But we had a number of stories like that. So I know there is a lot of women like that.

The one thing I will say about our consulate and our Embassy, years ago, Monica Stowers took her kids to the Embassy in Riyadh, and the consular officer there took her and her children escorted by Marines, who didn't want to do this, to the front gate and put her out on the street. She was arrested and her children stayed there and her daughter was married off when she was 12 years old. And Pat Rausch has gone through a similar situation.

Those sorts of things hopefully won't occur anymore, because now they will be not kicked out on the street. There is a long way to go, and I think we covered a lot of that today, and we are going to work with the State Department and try to convince them that we have got to be tougher on the Saudis and others who are taking away the liberties of American citizens.

If somebody kidnaps a child from America, whether Saudi Arabia, Germany or anyplace in the world, we ought to have some kind of an agreement with them that those people will be sent back for prosecution because they violated American law, and American law must not be superseded by the Saudi law or any other law in the world.

With that, I want to thank you very much for being here. We really appreciate it.

Ms. Watson is, I think, as she said, a former Ambassador. She a real tiger. And she and I will work together to see if we can't get some steps taken in the right direction to solve these problems.

Thank you very much for being here, and God bless you.

Ms. SAGA. Thank you very much.

Mr. BURTON. Thank you. We stand adjourned.

[Whereupon, at 4:27 p.m., the subcommittee was adjourned.]

[Additional information submitted for the hearing record follows:]

Questions for the Record Submitted to
Assistant Secretary Maura Harty by
Rep. Dan Burton (#1)
Committee on Government Reform
July 9, 2003

Question:

During the hearing, you stated that 7 American citizens who were being held in Saudi Arabia against their will have safely returned to the United States this year. Could you please provide specific information on each of these cases (including names, date of abduction, location held while abducted, date of return, age at the time of abduction, and age at the time of return)?

Answer:

Since the beginning of the year, we have in fact seen the return of ten children from Saudi Arabia, closing five active Abduction or Access cases in the Office of Children's Issues. Not all of these children were abducted to Saudi Arabia. Some of these cases involved a left behind parent who was seeking access or visitation to the children and was unable to do so, whether in Saudi Arabia or in the United States. In several of the cases, no Privacy Act Waiver exists, so we cannot give names of the individuals involved. We can, however, provide a summary of the case without using the names or specific details of the individuals involved. Summaries of the cases follow:

Abduction/Return from Saudi Arabia

Updated: July 25, 2003

There is no Privacy Act Waiver for the following case.

Children: 15 year-old boy, dual American-Saudi Citizen
13 year-old boy, dual American-Saudi Citizen

Left-Behind Parent: American Citizen

Taking Parent: Saudi Citizen

Summary: The boys were abducted to Saudi Arabia by their non-custodial Saudi father on July 26, 2002. After the U.S. Embassy in Riyadh made the Saudi government aware that the boys were being neglected and that they risked being abused by their father, Saudi government officials issued exit visas for the boys without consulting the father. Embassy officials, including a security detail, accompanied the boys to the airport and a consular officer flew with them back to the United States.

Access Case/Return of Al-Jarboa Children in Saudi Arabia

Updated: July 25, 2003

Children: Tarik Suleiman (18 year-old boy, born in DC) - now an adult, returned to US in 2002 and 2003.
Ryan (16 year-old boy, born in Saudi Arabia) - Returned to US in Summer 2003.

Left-Behind Parent: Dawn Dibenedetto, American Citizen.

Taking Parent: Suleiman Abdul Aziz Al-Jarboa, Saudi Citizen.

Summary: The children traveled to Saudi Arabia for a two-week vacation in December 1994. The father refused to return the children to the U.S. and Ms. Dibenedetto had no contact with them for 8 years. The father refused all requests from Embassy Riyadh for welfare and whereabouts visits. The mother requested a Saudi family visit visa several times, but was refused until Spring 2003. Tarik made contact with his mother in 2002 and Embassy Riyadh renewed his U.S. passport. Tarik obtained permission from his father to visit his mother in Summer 2002. Tarik returned voluntarily to Saudi Arabia. With the

help of Embassy Riyadh, Ryan renewed his passport in 2003 and the mother sent the boys a plane ticket. The boys departed KSA for Virginia in early July 2003. Ms. Dibenedetto had decided not to pursue legal custody or file criminal charges against the father because she thought this would be "detrimental to trying to communicate with [her] sons.

Access Case/Return from Saudi Arabia

Updated: July 25, 2003

There is no Privacy Act Waiver for the following case.

Children: Dual American-Saudi Citizens, Ages 12, 11, and 9.

Mother: American Citizen

Father: Dual American-Saudi Citizen

Summary: The family moved to Saudi Arabia in the early 1990's, but the mother left in 1999. She was unable to communicate with the children after she returned to the United States. The father maintained sporadic contact with Embassy Riyadh, which was able to conduct several welfare and whereabouts visits with the three children. The parents began to make contact with each other in 2003. The father brought the children to the U.S. Embassy in Riyadh and asked for assistance in returning to the U.S. The Embassy issued him and the children new U.S. passports and negotiated exit visas with the Saudi government. The children were reunited with their mother in the U.S. in July, 2003.

Access Case/Return from Saudi Arabia

Updated: July 25, 2003

There is no Privacy Act Waiver for the following case.

Children: Dual American-Saudi Citizens, ages 16 and 15.

Mother: American Citizen

Father: Saudi Citizen

Summary: In 1998, the mother departed Saudi Arabia leaving her three children behind. The oldest child was allowed to return to the U.S. to study in 2000. An attempt was made by the mother to recover the two younger children while they were visiting in Casablanca in 2001, but this failed. The mother remained in email contact with the middle child. AmConGen Jeddah investigated allegations of abuse of the middle child by the father. The father put the younger children into boarding school in South Africa in 2002. In 2003, AmConGen Durban documented abuse of the middle child by the father and reported it to South African authorities. The mother traveled to South Africa. Cooperation between the U.S. Consulate in Johannesburg

and South African immigration authorities resulted in the mother's returning to the U.S. with the children.

Abduction Case/Return from Saudi Arabia

Updated: July 25, 2003

There is no Privacy Act Waiver for the following case.

Child: American Citizen girl, age 5

Left-Behind Parent: Ghanaian Citizen

Taking Parent: American Citizen

Summary: The mother abducted the child in February 2002, initially to Bahrain. She and the child moved to Saudi Arabia in July 2002. The father had no contact with the child following her abduction. The mother was charged in the U.S. with International Parental Child Kidnapping and a warrant was issued for her arrest. Embassy Riyadh located the child in February 2003 when the mother appeared at the embassy requesting a routine notarial service. At that time, because the mother was a felon fugitive, the embassy took physical possession of the mother's passport and informed her that a federal warrant had been issued for her arrest. The mother arranged with the FBI and U.S. Attorney's offices to return the child to the U.S. voluntarily.

Questions for the Record Submitted to
Assistant Secretary Maura Harty by
Rep. Dan Burton (#2)
Committee on Government Reform
July 9, 2003

Question:

There had been notable cases of international child abduction that the Government Reform Committee worked on during the last Congress, including: Samiah Seramur, Michael Rives, Monica Stowers, Debra Docekal, Maureen Dabbagh, Joanna Stephenson Tonetti, and Margaret McClain. Could you please provide a detailed update on how the Department of State has assisted in each of these cases?

Answer:

Al- Rehaili (Seramur): The Department continues to seek consular access to Faisal (16) and Safiah (21) through the Saudi Government, since the father has refused to grant consular access to Faisal unless he is able to obtain information about Maha. Ms. Seramur will not provide such information, and has obtained a temporary restraining order against the father in Florida. Consulate General Jeddah in July 2003 requested assistance from local Saudi government officials to obtain consular access to Faisal and to ascertain his welfare, based on Ms. Seramur's reports that Faisal is being abused by the father. In July 2003, Embassy Riyadh raised these concerns with the Interministerial Commission in Riyadh. Jeddah has provided the Consul's cell phone number to Ms. Seramur to pass on to Faisal if possible, so that he can contact the Consul directly.

Rives: Embassy Riyadh revoked the U.S. visa for the mother's brother in September 2002 hoping he would encourage his sister to return Lilly and Sami. Lilly and Sami are not Saudi citizens; however, the Saudi Minister of Interior entered Lilly and Sami on the grandfather's Saudi passport so they could remain in Saudi Arabia legally. While legal, such action is highly unusual in Saudi Arabia. The grandfather died in April 2003 and mother's brother became head of the family and began negotiations with the father. The father has held firm in negotiations that the children must be physically returned to the U.S. before charges against the mother are dropped and the brother's visa returned. He will not pursue custody in Saudi court because he believes he will not have a fair hearing. Embassy Riyadh demanded the children's return in November 2002. ASSISTANT SECRETARY Harty raised the case with high-level officials in Saudi in January and April 2003. Embassy raised case with the Interministerial Commission in February 2003. MFA turned over children's passports to Embassy in April 2003; Embassy renewed Lilly's passport, which had expired. In July 2003 the mother e-mailed the father that she had moved out of the family home and would agree to the children's return to the U.S. in July 2004. Embassy Riyadh conducted welfare/whereabouts visits in January 2002, September 2002, and January 2003. The father is not able to speak with the children. The father

plans to travel to Saudi Arabia to see the children in late 2003. The Saudi Embassy in Washington informed the Department in June 2003 that father would be issued a visa if he applied for it.

Radwan (Stowers): After the Embassy raised the case with the Saudi government, Ms. Amjad Radwan was issued a Saudi passport and exit visa at the end of August 2002. Though she is apparently now free to travel to the U.S. at any time, Ms. Radwan has not yet attempted to do so. Ms. Radwan did attempt to travel to Bahrain in February 2003 but Saudi immigration did not allow her to depart the Kingdom, as she did not have her father's permission to go to Bahrain. The Embassy has repeatedly tried to contact Ms. Radwan via phone calls to her, phone calls to her mother, and a letter from the Deputy Chief of Mission, to determine if she requires further assistance. Ms. Radwan has not made contact with the Embassy, however.

Basrawi (Docekal): Ms. Docekal has asked that the Department take no further action on this case for the moment. We are respecting this request, but remain in contact with Ms. Docekal and will continue to offer all possible assistance to her and her children when she believes our involvement is needed.

Dabbagh: Embassy Damascus confirmed with the Syrian authorities that Nadia is in Syria, where she resides with her uncle. Ms. Dabbagh has informed the Department that she will no longer pursue Nadia's return, but requests that efforts to continue consular access continue. The Syrian Government in February 2003 informed Embassy Damascus that the uncle had given his consent for a consular visit, provided that Syrian judicial authority grants permission. Embassy Damascus has asked for assistance from the Syrian Ministry of Foreign Affairs to obtain judicial permission for the visit but has received no response. We will continue to raise this request with the Syrian Government.

Al-Arifi (Tonetti): The parents are working together, with the assistance of Sen. Bayh and the Saudi Embassy in Washington, towards an agreement that would provide for the children to live part-time in the U.S. with their mother

and part-time in Saudi Arabia with their father. Assistant Secretary Harty met with the father in January and April 2003. Father has requested that criminal charges against him be dropped so that he can receive a visa to continue his studies in the U.S. Mother approached FBI in July 2003 to begin the process of dropping charges against him. Father met with Ambassador Jordan in Jeddah on July 19, 2003. The father submitted a list of conditions for return of the children to the U.S., which the Office of Children's Issues passed to the mother. Consulate General Jeddah's requests for consular access were refused until August 2002. Consulate General Jeddah conducted consular access visits in August 2002 and in January and April 2003. The Saudi Embassy in Washington is facilitating regular phone calls between Ms. Tonetti and the children. In May 2003, Consulate General Jeddah obtained the home telephone number of the household so that the mother can call the children directly.

Al-Omary (McClain): Ms. McClain traveled to Saudi Arabia from May 8-13, 2003 and spent longer periods of time with Heidi than during her July 2002 visit. However, the father was present at every meeting and the mother was never alone with Heidi. Ms. McClain intends to return to

Saudi Arabia later this year, and the Department will work with the Saudi Government to accomplish this visit. Consulate General Dhahran conducted welfare/whereabouts visits with Heidi in August 1999, February 2001, January 2002, and January 2003. Ms. McClain, who is Heidi's legal custodial parent, will accept nothing less than Heidi's return to the U.S. The Saudi Government has given no indications that it will assist in returning Heidi to the United States. Assistant Secretary for Near East Affairs Burns raised the case with Foreign Minister Saud Al-Faisal in November 2002. Assistant Secretary Harty discussed Heidi's return with the Foreign and Interior Ministers as well as other high level Saudi officials on both her trips to KSA in January and April 2003. Assistant Secretary Harty held lengthy discussions with the father during both visits to KSA during which she stressed the importance of allowing regular communication, contact, and a meaningful relationship between Heidi and her mother.

Questions for the Record Submitted to
Assistant Secretary Maura Harty by
Rep. Dan Burton (#3)
Committee on Government Reform
July 9, 2003

Question:

As you are aware, since 1986 Ms. Patricia Roush has been consistently unable to establish contact with her two daughters, Alia and Aisha, who were abducted to Saudi Arabia. Could you please supply us with a detailed brief regarding Ms. Roush's case?

Answer:

In 1986, Saudi national Khalid Al-Gheshayan abducted his two dual US-Saudi-national minor daughters, Alia and Aisha, to Saudi Arabia. Since their abduction, the Department of State, and the U.S. Embassy and the Ambassador in Riyadh, have repeatedly raised the case with Saudi authorities at the highest levels - requesting, when they were children, the girls' return to the United States, consular access to check on their well being, and assistance in allowing Ms. Roush opportunities to visit her daughters. Successive U.S. Ambassadors - Horan, Cutler, Freeman, Mabus, Fowler and now Ambassador Jordan - have all taken a personal interest in this case, and have worked assiduously via formal and informal means for a satisfactory resolution of

the case. To our great regret Ms. Roush was only able to visit her children in Saudi Arabia once, in 1995.

Now that the sisters are adults, the consular and other services provided to them as American citizens will of course respond, insofar as possible, to their expressed wishes. On August 31, 2002, Alia and Aisha met with an official from the American Embassy in London, UK. An American consular officer met privately with the two women for nearly an hour at their hotel. Both Alia and Aisha told the consular officer that they were well, that they were happy with their lives in Saudi Arabia, and that they did not wish to travel to the United States at that time.

During any future meetings with the Gheshayan women, we will continue to stress that they are U.S. citizens, that they have the right to travel to the United States if they wish, and that the U.S. government has a continuing interest in their welfare.

Questions for the Record Submitted to
Assistant Secretary Maura Harty by
Rep. Dan Burton (#4)
Committee on Government Reform
July 9, 2003

Question:

It has been reported that 3 abducted American citizens have recently sought sanctuary at Embassies and Consulates in Saudi Arabia. If this information is correct, could you please provide specific information on these cases (including names, date of abduction, location held while abducted, date of return, age at time of abduction, age at time of return - if applicable)?

Answer:

5 American women, one American man, and 7 children, mostly fleeing abusive family situations, have sought protection at the U.S. Embassy and consulates in Saudi Arabia since the beginning of 2003. Several more individuals are in contact with the Embassy or Consulate and know that refuge is an option, if needed. While at the Embassy, the Americans are provided with free food, essential items and services, such as laundry, and whatever entertainment and comforts are available. We make it clear that they are welcome to stay at the Embassy or Compound as long as necessary to ensure their safety or until their repatriation to the United States.

Summaries of the cases are provided below. The names of the individuals are not used unless they have waived their right to privacy.

1) One American citizen who was abducted as a child has sought refuge at a U.S. Embassy or Consulate. Sarah Saga was unlawfully retained by her father while visiting him in Saudi Arabia at age 5. She initially lived at her father's house in Mecca, and in her husband's house after she was married in 1997. On June 16, Ms. Saga, now aged 24, arrived at the American Embassy in Riyadh with her two children and requested assistance. The Charge d'Affaires asked the Foreign Minister to issue exit permits for the family. Saudi authorities issued Ms. Saga an exit visa June 19 and Ms. Saga departed Saudi Arabia for the United States on June 24, 2003, without her children. We continue to work with Ms. Saga on her case.

2) A dual Saudi-American man sought refuge June 25 at the Embassy with his three dual Saudi-AmCit children, ages 12, 11 and 9. The children's AmCit mother had been prevented from having access to them since 1999, when her husband's family forced her to leave the Kingdom. Diplomatic personnel met with Saudi authorities to re-issue all travel

and identity documents for the family, which had been confiscated by a family member. All were repatriated to the U.S. on July 15th. The children were reunited with their mother in Colorado.

3) An American woman sought refuge at the U.S. Consulate in Jeddah from April 18 - 30. Ambassador Jordan asked the Foreign Minister on April 18, and Assistant Secretary Harty asked the MFA chief of Protocol on April 23, to issue an exit visa for this woman. The American woman was promised an exit visa by the Saudi Arabia government whenever she might request one but has now elected to remain in Saudi Arabia at this time.

4) An American citizen woman and her three Saudi-American children sought refuge at the Consulate in Jeddah from June 2 through June 17. Consulate Jeddah asked the MFA via diplomatic note to issue an exit permit. She reached an agreement with her husband and returned to their home.

5) An American woman sought refuge at the U.S. consulate in Dhahran on July 12, fleeing her abusive husband. The Saudi Arabian government issued an exit visa and she departed Saudi Arabia July 21.

6) An American woman sought refuge at the U.S. Embassy in Riyadh from June 25 until July 4, fleeing an unhappy home environment. On July 7, 2003 Embassy Riyadh Consul General discussed the case with the Inter-Ministerial Committee and requested permission for this American woman to leave without her husband or father's permission. The woman is currently staying in a shelter while she decides whether she will stay in the Kingdom and work at a foundation run by the royal family or return to the U.S.

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