



FiLiA Hague Mothers | GlobalARRK

Submission to the report of the Special Rapporteur on violence against women and girls to the 62nd session of the United Nations Human Rights Council on Violence against mothers

FiLiA Hague Mothers is a voluntary international campaign working to end the injustices caused by the Hague Abduction Convention, specifically for victim-survivor mothers. *GlobalARRK* is a UK charity which supports approximately 300 'stuck' parents each year; 30% of whom go through a Hague Convention case.

Our submission focuses on forms of violence against mothers which are directly enabled by the Hague Abduction Convention, an international treaty signed by 103 countries. Under the Convention, a child is considered abducted if they are taken across international borders by one parent without the other parent's consent. To deal with this problem, the Convention established a remedy of immediate return which ensures maximum cooperation between contracting states to return the child promptly to their 'habitual residence' and their *status quo ante*. The original assumption was that the taking parent would be the father, and that the 'left-behind' parent would be the primary-carer mother. However, recent studies reveal that at least 75% of Hague cases today are brought by fathers against mothers, 94% of those mothers are the primary caregivers ([Lowe & Stephens, 2023](#)). The vast majority - estimated at between 78%-100% - are attempting to escape domestic abuse and find safety with their children.

Our evidence is drawn from three primary sources:

1. [The Hague Power and Control Wheel](#) developed through a trauma-informed, participatory research process coordinated by FiLiA Hague Mothers.
2. [The Aftermath of Hague Convention decisions](#) - an international survey carried out by our two organisations.
3. Testimonies shared with us by mothers from across the world. These relate to the use of the Convention to prevent mothers from leaving the country of their abuser; the abusive impact of the court case itself; and the consequences of a return order. They have been anonymised to protect the victims.

This evidence, and research undertaken over several decades in to the prevalence of domestic abuse in Hague cases, (e.g. [Kaye, 1999](#); [Lindhorst & Edleson, 2012](#); [Schuz, 2018](#); [Weiner, 2000](#); [Trimmings & Momoh, 2021](#)) demonstrates that the Convention has become yet one more tool in the perpetrator's armoury - a highly effective form of control and punishment.

1.1. Manifestations, causes and perpetrators of violence

The Hague Power and Control Wheel identifies a number of ways in which abusers use manipulation, dominance, and violence to control the mothers of their children. These interrelated behaviours are

specifically enabled by the Hague Abduction Convention which both prevents mothers from seeking safety in their home country, and punishes those who attempt to escape.

'I am writing to you from a place of deep desperation, emotional devastation, and overwhelming fear. I fled Europe with my two children — then aged just 1 and 3 years old — to return to my home country in order to escape severe domestic violence. I did what any mother would do: I protected my children and myself from further abuse. But instead of safety and justice, I have been met with punishment and unimaginable suffering. In 2023, I lost a Hague Child Abduction case, and my two babies — still so small, so vulnerable — were forced to return to live with their abusive father. Since then, I have been trapped in a never-ending cycle of legal battles that have shattered my life and broken me as a mother. My custody was taken from me as if my act of fleeing violence was a crime. I am now allowed only 4 hours of supervised contact per month in the father's country. That is all. Four hours to be their mother. Four hours to hold them, to love them, and remind them that I still exist. The court has even stripped me of the right to speak to my children in our shared native language. I have been forced to speak only the father's language — a language that is not natural to us, not the language I raised them in. The very bond between us is being systematically dismantled by a legal system that has refused to see my pain or honour my rights — or those of my children. I am mentally, emotionally, and physically exhausted. I have been living in anguish since the day they were taken from me. Every moment is torture. My children were my whole world, and I did everything I could to protect them — and now they are being raised by the very person I tried to protect them from. I feel like I am watching them grow up through a locked window, and no one is listening to my screams.'

This heart-breaking story follows a familiar pattern. The victim-survivor attempts to escape abuse, initially by seeking support from NGOs or the state, and then, when that fails, by returning to what they believe will be a place of safety - their home country. The perpetrator then uses the Hague Convention to regain control and to punish the mother, often, as here, through weaponising the children.

The evidence we have collected demonstrates that, in Hague cases, judicial decisions and state compliance reproduce the dynamics of domestic abuse on an institutional scale, and directly enable post-separation abuse by the perpetrator.

1.1.1. What are some of the most prominent forms of violence and extreme discrimination to which women are subjected because of their status as mothers?

Victim-survivor mothers and the professionals who support them identified the following Hague-related forms of violence and discrimination. They are, of course, inter-connected; all are used to isolate and control the victim, to assert power and gain compliance.

Intimidation and Threats

Common tactics include threats to invoke the Hague Abduction Convention, leveraging immigration vulnerabilities, and, most powerfully, warnings of permanent separation from children. Mothers are aware that these are not empty threats:

'What they (abusers) use to intimidate mothers is actually true. Like when they say that "the child will be brought back to me" - that's actually true.'

Mothers also described threats of being isolated from family, community, and legal support networks. The fear of being disbelieved or dismissed by those in authority intensifies the control perpetrators hold over mothers.

'There's very often—I've heard it from so many mothers—the whole sort of the perpetrator saying, "Nobody's going to believe you anyway. Nobody's going to listen. Nobody wants to hear from you." And it's true.'

Legal Systems Abuse

Abusers exploit legal systems to maintain control and continue coercion post-separation. This includes filing multiple motions in different jurisdictions, manipulating legal timelines, and exhausting the mother's financial and emotional resources. The summary nature of Hague proceedings, and the lack of fact-checking, works in the perpetrator's favour. Mothers spoke of their distress that past abuse, even when well-evidenced, was ignored by judges, or dismissed as irrelevant.

'You are required to write in affidavits your life history of abuse, an extremely personal and traumatic account to justify why you fled with your children. These are completely ignored. The Hague proceedings feel like it just comes down to jurisdiction.'

Economic Abuse

Even before any Hague proceedings, mothers and their children face financial pressures, housing insecurity, child support evasion, and legal manoeuvring to drain financial resources. If they then have to face a Hague case, this inequity is a major barrier to justice. While perpetrators may access state-funded legal aid and retain control of shared assets, mothers often have to self-fund the full cost of legal, translation, and psychological reports, or are forced to self-represent. Many are bankrupted by the process:

'I owe people. My friends ... gave me fifty thousand dollars ... and my Mum went bankrupt 'cos she sold her house. I paid [a barrister] and a solicitor ... they got nearly four hundred thousand dollars of my Mum's money.'

'[The Hague] forced me and my 2-year old into homelessness. The law doesn't care about what is just. It stripped us of our basic right to have a roof over our heads, favouring the rights of the father no matter what the consequences for us.'

Frequently, mothers are unable to afford to mount an appeal against a return order, or to ensure that custody or visitation rights are upheld.

'The father has restricted contact further, and my child was told they might only see me again when grown up. Legal actions to address this require funds I don't have, and the Hague case also transferred other legal matters, including divorce, making them unaffordable for me.'

Unsurprisingly, mothers (and their children) face extreme poverty after returning to the perpetrator's country.

'We were on the street within about a day. I went to get legal aid and it was just horrific. I was told that 'they don't pay me enough to respond to this'. So we went and stayed in like a hotel bunker, you know, where the cars park below the hotel. We put cardboard up. It was horrific for my son ... there was no safety net for either of us.'

'I lost my house and all my belongings, all my cards were blocked, and I was in my ex-husband's country. I started living in very poor housing which then my ex-husband used against me saying he could not agree with me having the children because it wasn't

appropriate for the girls, and it was unsafe. I had no access to my money. I had no access to anything.'

Emotional Abuse

Emotional abuse enabled by the Convention includes ongoing psychological manipulation and gaslighting, both by abusers and the legal system. Women are discredited, labelled as mentally unstable, or framed as unfit mothers, even if they have been sole-carers of their children for years.

'The undermining, discrediting, the kind of making out that she's the bad parent ... "I'm going to make you look crazy, you're going to lose custody".'

The court process itself is also used as a tool for abuse.

'The court case was so terrifying, so stressful, that I have been diagnosed with PTSD. My life became an unsupportable hell and feeling powerless and hopeless became part of my character.'

'The emotional abuse continues through the court, your trauma is minimised, belittled and ignored.'

Children are used as a highly effective way to control the mother. Threats, often carried out, to hurt them, refusing permission for medical or counselling appointments, or simply through neglect. It is hard to comprehend the cruelty of those who seek to prevent a mother from keeping her child safe:

'My child would secretly call me crying and begging me to come fetch them but I wasn't allowed near them. My ex screamed at them every night for hours, blaming the child for leaving him, threatening what he would do to them if they tried to leave again.'

'My eldest threatened to run away, she started self-harming; the other two begged to be allowed to stay [with me]. They were so scared and I felt so helpless.'

Abusers also work to turn children against their mothers, making assertions such as '*she left you here on purpose, she does not want you*'. Yet, in a classic form of DARVO¹, mothers are frequently labelled as alienating or manipulative, not only by perpetrators, but by court and state officers.

Isolation

Isolation takes multiple forms in Hague cases. Survivors describe physical isolation from their home countries, legal and societal isolation through language barriers, and emotional isolation due to loss of community.

'As a first step, even before the abuser has to say a word or do anything, just forcing the move in itself is isolation.'

Some mothers self-isolate due to stigma or out of fear that, for example, seeking therapy or support will be used against them in court. Others spoke about being in foreign countries where '*you don't even know who to ask*'. Language barriers, cultural unfamiliarity, and a lack of resources create further isolation.

1.1.5. Who are the perpetrators of violence against mothers, and under what circumstances enable these perpetrators to inflict such violence? Are there patterns of institutional complicity or impunity?

Patriarchal systems and institutions

¹ DARVO is an acronym for Deny, Attack, and Reverse Victim and Offender, a manipulation tactic used by abusers

Our research reveals the underlying patterns of power and control enabled by the Convention within the wider context of patriarchal systems and institutions. Mothers testimonies repeatedly identified the state as a coercive actor:

*'It wasn't just him anymore. It was the judge, the lawyer, the court. They were all part of it.'
'I was traumatised by the court system, the unjust laws. Every single government sector I went to, pleading for help, failed to assist me. I left to save my life.'*

Systemic and structural failures abound.

Tala, a Filipino mother, moved to the EU with her English partner and endured severe abuse and isolation. During a holiday back in the UK, she was advised to go into a refuge to escape the ongoing abuse - she was living there when she was served with a Hague petition. Neither she nor the refuge had heard of the Convention; she found it hard to prepare her defence, especially given the short timeframe. The Hague court did not investigate any of her claims and domestic violence was not deemed significant. Upon return, the protective orders made in the English court were overturned, leaving her without financial, legal, or housing assistance. Tala eventually had custody reduced to almost nothing and her Relocation application was refused. She had no choice but to leave her daughter with the abusive father and return to home alone.

Male Privilege

Gender bias in the legal system enables fathers to assert their ability to be a good father without any evidence (or in the face of evidence to the contrary), while mothers must prove themselves under intense questioning and often hostile examination.

'To me, that seems like one of the biggest things: just being believed ... You just have to show up and say, "I'm a good father now." And that's it. That's the privilege.'

Mothers' experiences repeatedly demonstrate the ease with which victims are recast as perpetrators, the privileging of fathers' rights over the rights of mothers and children to live free from violence, and the minimisation of the importance of the mother-child bond.

'I was a victim of domestic violence during my marriage. My husband isolated me, controlled our finances, and dictated my social interactions. He abused me financially and psychologically, threatened to kill me, and, ultimately, he raped me. He neglected our child and restricted necessary expenses. I decided to leave during a holiday, initially with his agreement, but he soon filed a Hague Convention claim, which changed everything. Despite ongoing investigations against the father, my child was taken by force, and returned to his care. I endured a two-year criminal trial for kidnapping. Before the Hague case, I was the primary caregiver. Post-return, contact with my child is limited to video calls, and I can't visit the country I left. My child was told they might only see me again when grown up.'

Hague return orders

Within the broader social and cultural context of discrimination, return orders directly and explicitly empower perpetrators and enable an escalation of abuse.

'He did as he pleased. He did not respect any rules. He continued abusing us, tormenting us, and ruining our lives quite effectively...'

Our 2024 survey of 63 mothers who were respondents in Hague cases found that the vast majority (over 70%) were victims of abuse post-return, a fact that directly contradicts the assertion that return is invariably in the best interests of the child.

Experience	Percentage of Mothers with Protective Orders (n=21)	Percentage of Mothers without Protective Orders (n=32)
Further abuse	71.4% (15)	87.5% (28)
Financial difficulties	80.9% (17)	87.5% (28)
Custody hearing	57.1% (12)	62.5% (20)
Visa issues	42.8% (9)	25.0% (8)
Relocation request	42.8% (9)	46.8% (15)
Criminal proceedings	23.8% (5)	34.3% (11)

1.2.2. Are any groups of mothers particularly vulnerable to violence, exploitation or abuse on the intersection of their status as mothers intersecting with other grounds?

The majority of mothers impacted by the Hague Convention are not citizens of the 'habitual residence' when they decide to seek safety in their home country. As foreigners they face multiple forms of discrimination and are additionally vulnerable.

'These mothers who've been abused, they're trying to protect the children from the perpetrators while fighting multiple battles at the same time. Sometimes, something very basic like money for food and money for accommodation, money for school, medical fees, legal fees, which one might have taken for granted if you were a citizen or a permanent resident.'

A tendency to favour citizens over non-citizens, institutional racism, religious and cultural biases, visa issues, language barriers, and a lack of understanding by foreign mothers regarding state systems, all increase vulnerability. Mother and child are also likely to be isolated from their family, friends and culture; a lack of support networks which impacts on their safety and wellbeing. Hague rulings disproportionately impact immigrant and minority mothers and reflect embedded racial and national biases.

Recommendations

Changing the Convention requires agreement from all 103 signatories and is therefore not currently an option. However, it is possible to change domestic laws that implement the Convention - Brazil has led the way in this regard. We strongly endorse their recent Supreme Court ruling which:

- requires courts to take a 'gender-based perspective' (judges are currently receiving relevant training),
- acknowledges that abuse towards the mother impacts the child,
- lowers the evidence threshold for domestic abuse,
- accepts the reality that domestic abuse is a grave risk,
- prohibits the use of protection orders to force a return in grave risk cases.

More generally, there needs to be a formal acknowledgment that removal is not 'wrongful' when the taking parent is fleeing domestic abuse; and a rebuttable presumption of no return in such cases. When allegations of domestic abuse are made, a full fact-finding investigation should take place.

We would also call for practical measures to be agreed internationally including:

- information about the Convention and its potential impact made available to all those applying for visas to live / work in another country
- an inexpensive fast-track international relocation system for domestic-abuse victim-survivors
- automatic legal aid for domestic abuse victim-survivors and related support and resources
- mandatory training for judges and court officers in domestic abuse, coercive control, and the effect of trauma on victims / witnesses.

Attachments

Hague Power & Control Wheel

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February 2026*