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Patrick F. Kennedy, Under Secretary of Management  
Jim Pettit, Deputy Assistant Secretary of State for Overseas Citizens Services  
Joyce Namde, European Division Director, Office of American Citizen Services & Crisis Management  
US Department of State  
2201 C St NW  
Washington, DC 20520

July 16, 2014

RE: Human Rights Violation of American citizens Jannah Sims & Malik Andina by Swiss Government Officials

Dear Mr. Kennedy,

I am contacting you regarding the on-going failure of American Consulates overseas to respect and implement art. 71.1 & §10.735–215 CFR22; art. 2715a, 71.6 & 3904(1) of the 22USC; and 1700's & 1900's of 7FAM.

The refusal of American Consulates overseas to implement the afore mentioned guidelines and directives into the services that they provide to American women and children living overseas is in violation of US federal law (*Federal Tort Claims Act* and *Alien Tort Statute*) as well as international law (*Gonzalez vs. USA, 2011* – obligation to protect, and *Avena, Mexico vs. USA* – right to consular notification, under art. 36 VCCR '*detained in any manner*' (*Abbott vs. Abbott* – 'ne exeat' determination) and '*interest of any minor... particularly where any guardianship or trusteeship is required*' art. 5h),

Please find enclosed a letter to the American Embassy in Bern requesting that they assist two American citizens whose rights have been continually violated in Swiss courts. While Ms. Sims case does not fall under the Hague Convention on international child abduction, it is exemplary of why 70% of mothers involved in these cases are being forced to 'abduct' their own children, and are risking incarceration in efforts to assure their safety and security.

As you are aware from my previous correspondence and enclosed reports from the United Nations, Amnesty International, Save the Children, and a myriad of other organizations, family courts around the world are failing to protect victims of domestic abuse at rates of 75-95%, with the violation of the rights of women and children rampant within these courts (see Family Courts in Crisis newsletter [www.warondomesticterrorism.com/category/fcc\\_newsletters/](http://www.warondomesticterrorism.com/category/fcc_newsletters/)). However, even in full knowledge of the situation, American Consulates are refusing to defend the rights of American citizens in foreign courts.

The fact that Consulates and the State Department are refusing to utilize their power and authority to protect the rights and interests of American citizens involved in foreign judicial systems, but are providing ample assistance and support to abusers who are pursuing victims across national borders is clearly *de facto* discrimination against women, and sustains and promotes violence against American women and children.

State Department employees continually contend that these cases fall under ‘private law’. However, the violation of rights of American citizens by foreign public authorities, and/or their cover-up of human rights violations clearly falls under ‘public law’, and under the purview of the US Department of State and government.

I trust that the State Department will take appropriate actions at this time, to assure that the American Consulate in Bern complies with the letter and spirit of US federal law and State Department guidelines in assuring the prompt return of Malik Andina to his mother, Jannah Sims, the custodial parent.

Thank you in advance for your time and consideration.

Sincerely,



Quenby Wilcox  
Founder – Global Expats  
Founder – Safe Child International