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Le 6 avril 2015

RE : Wilcox vs. Espagne, CEDAW: Suite au *Gonzalez Carreño vs. Espagne*, 2014 CEDAW

M. Ambassadeur,

Je vous contact à propos de mon cas contre le gouvernement Espanola pour des violations de droits humains (*Gonzalez Carreño vs. Spain*, 2014 CEDAW and *Gonzales (Lenahan) vs. USA*, 2011 Inter-American Commission on Human Rights).

Suite aux refusés répétitives des autorités espagnoles de investigués des dénonces contre mes avocats, juges d'instructions, et des fonctionnaires espagnoles, pour des violations de mes droits de manière répétitive et systématique, autant que des infractions pénales dans des procédures judiciaires et extra-judiciaires entre 2007 et 2012 (en collusion avec des refusés répétitives de mes Consultats à Madrid (français et américaine) de remplir sus obligations légales de défendre mes droits), je me trouve dans l'obligation de porte plainte contre l'España pour ses violations de droits humaines auprès le Comite sur l'Elimination de Discrimination Contra la Femme (CEDAW).

Mon cas s'appuie sur *Gonzalez Carreño vs. Spain*, et démontre que la « défense » de l'Etat espagnole qui prétende que la manque de protection aux victimes est due aux « erreurs judiciaires », donc exonère le système judiciaire espagnole (et ainsi le gouvernement), **est complètement sans fonde ou base.** Ce que mon cas démontre, est que les systèmes régulateurs, à toutes fins pratiques, n'existe pas, et que ses systèmes ne sont rein d'autre qu'une façade et de la propagande du gouvernement espagnole, pour occulte des violations de droits de femmes de manière systématique.

En septembre-octobre 2008, quand je me suis rendu compte que mes avocats (Martínez de Haro de Vinader et María Fernando Guerrero Guerrero) dissimulés la violence et abus de mon mari, Xavier Gonzalez de Alcalá. M. de Haro par son omission d'acte, a assuré que je ne pouvais pas accéder mes fondes et beines communales en España, je me suis rendu au Consulat de France, a

trois reprises en sollicitant leurs assistance. Ce que j'avais besoin, était d'abord un avocat compétente et honnête, et deuxième une surveillance des procédures judiciaires pour assurer que mes droits aller être respecté dans des mois à venir.

Le Consulat ma refuse l'assistance sollicité. Et, au troisièmes repris, avec le Consul lui-même, je lui ai expliqué que non seulement les menaces de morte de mon mari était real et imminente, que les courts ne faisait que des choses pour dissimuler tout preuve d'abus, et que des menaces de mon mari inclurent des promesses de m'incarcérer dans une prison au centre psychiatrique. Le Consul était si désintéressé sur la sécurité de la vie d'une femme et ses enfants (citoyennes français), qu'il m'a conseillé (dans la éventualité de mon incarcération) « que, si je devais choisir entre une prison ou un centre psychiatrique, je serai meilleure dans une prison, ainsi je pouvais demander une extradition en France, et termine ma peine là-bas. »

Merci pour rein ! Le Consul m'avait donné le choix entre une prison française, et une prison espagnole.¹

Le mépris total du Consul envers la vie et sécurités d'une femme et ses enfants, et son réfute de utiliser les lois et conventions internationaux pour défendre ses droits, mimique le mépris total des avocats, juges, et autres acteurs impliqués, et leurs refus de défendre des droits des femmes dans les procédures judiciaires.

En plus, personne dans le gouvernement ne dénonce ou combat les traditions et normes discriminatoire parmi des avocats et juges, donc les cours sont à tout liberté de continuer leurs discrimination contre, et oppression de, la femme. Mes blogs sur [Womenalia](#)², [Huffington Post](#)³, et [Reuters Foundation](#)⁴, autant que mes dénonces (fiches sur www.warondomesticterrorism.com), expliques des questions juridiques en jeu.

L'attitude du Consul dans son entretien avec moi, et des implications de points de vue juridique, sont aggravés par le fait que l'Ambassade Français à Washington, D.C. m'informer que l'Ambassade Français à Madrid n'a pas des traces de mon séjours à Madrid depuis 2004 – ce que impossible vue au fait que je me suis inscrit au Consulat français en 2004, j'ai renouvelé mon carte d'identité française en 2004, et j'ai voté dans des élections présidentielles en 2007 ; tous à l'Ambassade Français à Madrid. J'ai la confiance que cette erreur dans le système informatique au Consulat à Madrid sera rectifié au brève délai.

Le refus des acteurs judiciaires d'appliqués des lois (et des autorités publiques de sanctionnés ceux qui refusent de les appliqués) est une des raisons que 30 ans après la Déclaration et Programme d'action de Beijing (1995), le mouvement féministe n'a pas avancer – et nous se trouve dans un « Stalled Revolution » (Revolution Feministe « Calée »).

Ce que mon recherché a révélé, est que dans les dernières 50 ans, le mouvement sur les droits de la femme a seulement argumenté (et donc seulement avancé) sur les droits de l'emploi et reproductives (milieu publique), mais rein sur les droits de la femme dans la famille, ni mariage (milieu privé). En lieu de développer une idéologie qui soutient des droits de la femme dans le mariage, et sa dissolution (comment conseiller par Betty Friedan en *The Second Stage*, 1981), les mouvements « féministes » des pays de l'Ouest ont

¹ <https://www.blogger.com/comment.g?blogID=6561252&postID=108790075745822956>

² <http://www.womenalia.com/us/blogs/having-it-all>

³ <http://www.huffingtonpost.com/quenby-wilcox/>

⁴ <http://www.trust.org/profile/?id=003D000001UsJcfIAF>

concentré leurs efforts en la « exportation » d'une mouvemente moitié finie au pays de l'Est.

Par conséquence, les mouvements féministes dans des pays de l'Est prend le même chemin dysfonctionnel que leurs contrepartie dans les pays de l'Ouest, due aux raisons suivantes :

- « Des défenseurs, eux-mêmes, ont devenues bureaucratiques et professionnalisés, et ses tendances ont sapé l'efficacité de leurs travaux avec des victimes... « Beaucoup de gens m'ont avoué que le terme '*défenseur*' est une appellation inappropriée, parce que le travail que des institutions professionnelles doivent faire est plus amendable à ses institutions qu'aux besoins de ses clientes... Simplement dit, ça semble presque impossible d'avoir des défenseurs en ceint des systèmes contre qu'ils devaient combattre. »... Dépendance sur les fonds publics à détourner le mouvement d'abus domestique... [avec] la historienne Elizabeth Pleck⁵ observant que « le cause des femmes maltraitées a été en faible de manière considérable par les coalitions et compromises faites pour pouvoir recevoir des fonds publiques. Des défenseurs ont ressenti cet « faiblesse » quand elles ont interagi avec des autres acteurs du système. Comment un défenseur a expliqué « tu ne mords pas de la main qui te donne à manger. Si le fiscal signe ton fiche de pays, tu ne vas pas allée le dénoncer dans une réunion publique, en disant qu'il ne fait pas biens son travail. »... Le mouvement de la femme maltraite a envisagé une société ou le système légale sera responsive aux besoins des femmes, intervienne pour prévenir sa subordination et en même temps, subverti le pouvoir patriarcal. Avec *féminisme de dominance* comme philosophie directeur et le pouvoir de et le pouvoir de *féminisme de dominance*, le mouvement a lutté pour et gagne des victoires législatives que les a permis de reconstruire le panorama légale, créant des remédies pénales et civiles et en provenant des fonds pour les développements des systèmes. Mais, ses victoires ont venus avec un prix. Le mouvemente été allé d'une qui a focalisé sur la femme d'une focalisé sur la victime, d'une focalisé sur l'autonomie de la femme d'une focalisé sur sa sécurité corporel, d'une qui travaux avec des femmes pour pouvoir générer des options qui remplit leurs besoins au lieu de leurs offre une option, séparation, facilité par l'intervention du system légale... » (*A Troubled Marriage : Domestic Violence and the Legal System* pour Leigh Goodmark)

Le fait que le mouvement domestique n'a pas développé d'autres options que la séparation, sans efforts du mouvemente féminine de développer une idéologie qui défends les droits des femmes dans le milieu privé, autant que défend et promouvoir l'importance du travail qu'elles font enceinte de la famille et maison (sans rémunération), a créé un situation ou la femme n'a pas d'autre recours que une rupture matrimonial. Mais, en revanchent elles doivent être prêt à renoncés ses droits économiques et custodiales, pour pouvoir partir.

- « El backlash (réaction contre le mouvement féministe), le contre-attaque que Faludi (1991) a identifié dans des évènements au fin des années 1980's, est maintenant plus

⁵ Domestic Tyranny: The Making of American Social Policy against Family Violence from Colonial Times to the Present "Elizabeth Pleck's "Domestic Tyranny" chronicles the rise and demise of legal, political, and medical campaigns against domestic violence from colonial times to the present. Based on in-depth research into court records, newspaper accounts, and autobiographies, this book argues that the single most consistent barrier to reform against domestic violence has been the Family Ideal - that is, ideas about family privacy, conjugal and parental rights, and family stability. This edition features a new introduction surveying the multinational and cultural themes now present in recent historical writing about family violence.

frappent au début du 21^e siècle. Pendant que le mot « féministe » a devenu associé avec des lesbianismes et ‘male-bashing’ (attaque verbales aux hommes) entre les nouvelles générations des femmes éduquer (Pharr, 2001)... Le backlash relies au avances des femmes aux échelons plus hautes de la société, paradoxalement, est réaliser contre des femmes le moins capable de profiter des opportunités nouveaux et le groupe avec qui les féministes s’identifient pas. La diabolisation de la « nouvelle femme violente, » un mythe généré dans la presse populaire, a encore aggravé la situation désespérée des femmes (van Wormer, 2001)... Comment Pharr (2001) nous rappelle, « nous avons seulement regardé l’économiques non seulement comme racine du sexisme, mais aussi la force sous-jacente qui retient toutes les formes d’oppression dans sa place. » Les gains des femmes (et minorités) sont clairement une menace au *status quo*, un privilège des hommes Blanc.⁶

Dans, mon cas particulier⁷ je vous signale que mon seul « crime », était mon désir de monter une entreprise d’Internet, d’être financièrement indépendante, et vivre en paix avec mes enfants – COMMENT ET MON DROIT, ET **QUE LE GOUVERNEMENT FRANÇAIS A UNE OBLIGATION DE DEFENDRE** (même que si je suis femme, que je suis naturalisée française, et que l’auteur des violations de mes droits sont des acteurs judiciaires).

Il m’a pris 7 ans de recommencer de monter ma société, en remarquant que mes concurrents (www.yelp.com et www.tripadvisor.com) actuellement sont entrain de générer des revenus de \$320 millions usd et \$1 billion usd, respectivement. Ainsi, les dommages financiers causés par mes avocats pour leurs négligences (à propos de mes droits économiques, 2007-2012) s’élèvent actuellement, au plus que \$ 1 billions usd. **Et, comme les autorités espagnoles sont devenues des complices de la dissimulation des violations de droits (pour leurs omissions d’acte), des actes délictueux sont toujours en cours. Ainsi, les dommages et intérêt montent chaque année pour autour de 40% -- POR LA SIMPLE RAISON QUE DES FUNCIONARIOS ESPAÑOLS, FRANCÉSAIS ET AMÉRICAINES NE FONT PAS LEURS TRAVAUX AVEC NI UN MINIMUM DE DILIGENCE EN APPLIQUANT DES LOIS D’ÉGALITÉ AUX FEMMES.**

La position, et politique, des Consuls (Français, Américain, et autre) qu’ils n’ont pas une obligation légale de défendre les droits des femmes et enfants qui résident à l’étranger, et qui sont détenus dans des procédures judiciaires dans son pays d’hôte, et en violation des lois françaises et espagnoles, autant que la loi internationale.

Discrimination contre la femme en Espagne, surtout des victimes d’abus domestiques, sont bien documentés pour Amnesty International dans ses rapports⁸ depuis 2000, et plus récemment dans la décision de la Comité pour l’élimination de la discrimination à l’égard des femmes (CEDAW), en *Gonzalez Carreño vs. España*, 2014.

En *Gonzalez Carreño vs. Spain*, le gouvernement espagnol prétend « inadmissibilité », en disant que le manque de protection provient des « erreurs judiciaires », et que la victime

⁶ *Confronting Oppression, Restoring Justice* pour Katherine Van Wormer

⁷ http://warondomesticterrorism.com/category/crises_en_tribunales_de_familia_ctf/

⁸ *España: Sal en la herida*, *Cuerpos rotos, mentes destrozadas*, *Más derechos, los mismos obstáculos*, *Obstinados Realidad, Derechos Pendientes*, *¿Que justicia especializada?*. ¡Actúa ya! Tortura, nunca más (Índice AI: ACT 40/13/00/s), Un escándalo oculto, una vergüenza secreta. Tortura y malos tratos a menores (Índice AI: ACT 40/38/00/s) y El comercio de la tortura: una lacra que hay que erradicar (Índice ACT AI: 40/02/01/s).

n'avait pas recouru des voies « disciplinaires » en Espagne, et donc n'a pas épuisé les voies de recours – une défense que la Comite n'a pas accepté. Mon cas démontre, sans aucun doute, que des voies « disciplinaire » (contra des acteurs judiciaires qui violent les droits des femmes et enfants, surtout victimes d'abus domestique), **n'existe pas**.

Aussi, ce que mon cas démontre, est que les systèmes régulatrices (et ainsi le gouvernement espagnole) s'impliquent dans des dissimulations des infractions pénales des avocats, juges, et autres acteurs impliqués dans des cas d'abus domestiques – élevant des violations des droits humaines (*Gonzalez Carreño vs. Spain*) aux crimes contre l'humanité (art. 7 des Statuts de Rome).

Corruption extensive et systématique dans le système judiciaire espagnole est bien documentée pour Amnesty International⁹. Donc le gouvernement français sait (ou devait savoir, et possède une obligation de savoir) que discrimination contra la femme, et corruption pour le système judiciaire, est tellement élevé en Espagne que des femmes et enfants, surtout des victimes d'abus domestiques, sont complètement sans défense dans des courts.

Alors, le fait que le Consul Français, en sachant (ou au moins possédant une obligation légale de savoir) que des femmes et enfants, victimes d'abus, n'ont aucune protection ou défense en Espagne, refus l'assistance aux victimes, mais en revanche offre une assistance extensive aux abuseurs qui poursuites ses victimes au travers des frontières nationales (avec des procédures a la Haya), s'implique encore des gouvernements dans des violations de droits humaines.

Les avocats impliqués dans mon cas, ont toujours prétendus que tous les avocats en Espagne dissimulent l'évidence d'abus domestique de ses clientes, et que tous les avocats assistent des maris frauder leurs femmes pendantes les divorces (même quand c'est son propre cliente) – des contentions qui sont confirmé par un déluge des études et rapports prévenants des expertes au tour du monde.

Le Colegio de Abogados de Madrid, en refusant d'investiguer mes allégations, confirme, avec son omission d'action, que les violations des droits économiques et custodies sont extensives et systématiques en Espagne – impliquant le gouvernement espagnoles dans non seulement des violations des droits humaines, **mais aussi des crimes contra la humanité, comment définit pour art. 7 de Statut de Rome.**

L'autre possibilité est que le Colegio de Abogados, Consejo General de Poder Judicial, Instituto de la Mujer, Fiscalía del General del Estado, et Defensor del Pueblo savent très bien que des avocats, juges, et autre acteurs cités dans mes dénonces officielles, ont commis des infractions pénales (et autres), mais en tout connaissant du cause, ils ont choisi de dissimuler les crimes – encore un fois, impliquant le gouvernement espagnoles dans non seulement de violations des droits humaines, **mais aussi des crimes contra la humanité, comment définit pour art. 7 de Statut de Rome.**

Encore une autre possibilité sera que personnes (ni les autorités espagnoles, français, ou américaines) ont pris le temps de lire mes correspondances. Dans ce scenario, les gouvernements deviennent complicités aux violations de droits des femmes, due à la négligence grave et criminels aux fonctionnaires qui n'ont pas remplit sa responsabilité de lire des correspondances,

⁹ *España: Sal en la herida*, <https://www.amnesty.org/en/articles/news/2014/04/spain-protests-and-suffocating-embrace-law/>, <https://www.amnesty.org/en/documents/EUR41/001/2014/en/>

et lancer une investigation. Encore, une fois un gouvernement possède une responsabilité légale d'embaucher de fonctionnaires **qui savent lire, et qui possèdent des compétences juridiques nécessaires. Le faute d'en assurer, les impliquent dans des violations des droits humains, pour leurs omission d'acte. Et, leurs réfute de prends des « actions positifs » pour rectifier la situation, les impliquent dans des crimes contre la humanité, comment définit pour art. 7 de Statut de Rome.**

Pour le susmentionné, je sollicite l'assistance de l'Ambassade de France sous son obligation légal de protéger¹⁰ des citoyennes françaises (même en dehors de territoire français, en rappelant que art 113-7 del « *La loi pénale française est applicable à tout crime, ainsi qu'à tout délit puni d'emprisonnement, commis par un Français ou par un étranger hors du territoire de la République lorsque la victime est de nationalité française au moment de l'infraction.* »

Ainsi, pour pouvoir éviter la nécessité de porter plainte contre l'Espagne pour des violations humain, je sollicité l'assistance de l'Ambassade de France, en assurant que des autorités investiguer mes allégations dans des dénonces officielles.

Je reste à votre disposition pour tout complément d'information ou pièce que vous pourriez souhaiter.

Sincèrement,



Quenby Wilcox

Pièces jointes : Correspondances aux Délégués de Violences en Espagne
Table des infractions des avocats en Gonzalez de Alcala vs. Wilcox, Espagnol

¹⁰ http://en.wikipedia.org/wiki/Responsibility_to_protect



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The Honorable James Costos
Ambassador of the United States
American Embassy in Madrid
c/ Serrano, 75
28006 Madrid, Spain

April 6, 2015

RE: Human Rights Case *Wilcox vs. Spain* - Ending Impunity for Violence Against Women and Children

Dear Mr. Ambassador,

I am once again soliciting the assistance of the American Embassy in Madrid under art. 5 & 38 of the Convention of Consular Relations, §71.1 and §10.735–215 of CFR 22, 2715a, 71.6, 3904(1) of 22 USC, and the US government's 'obligation to protect' under *Gonzales vs. USA*, 2011 Inter-American Commission on Human Rights¹) and [*Gonzalez Carreño vs. Spain*](#), 2014 CEDAW-UN¹, *inter alia*.

In [*Gonzalez Carreño vs. Spain*](#), the Spanish government contended “inadmissibility” due to “judicial error” and a lack of “application for disciplinary action against implicated judicial actors” by author. CEDAW decided that the Spanish government’s defense was unfounded, further noting the lack of proof as to the effectiveness of disciplinary action by regulatory agencies in Spain.

What my case, *Wilcox vs. Spain*, demonstrates is that regulatory agencies, and their procedures, are totally ineffective due to nepotism, negligence and corruption with government, and pseudo-government agencies. In addition to demonstrating an extensive and systematic cover-up of domestic abuse by judicial actors, my case shows to what extent regulatory agencies are becoming accessories after the fact to judicial negligence and corruption in their failure to investigate.

¹ <http://www.law.uchicago.edu/news/international-human-rights-clinic-appear-inter-american-commission-human-rights>

For your records, please find enclosed a copy of my latest correspondence to Spanish authorities², noting that the failure of Spanish authorities to launch a full-scale investigations into the criminal negligence and rampant violation of my rights in judicial and extra-judicial proceedings, particularly allegations against implicated lawyers, judges, and the physic-social team of the juzgado de Mostoles, between 2007 and 2012, will necessitate litigation in the international courts.

The continual refusal of the American Consulate and Embassy in Madrid to utilize their power and authority as provided for under the Convention of Consular Relations to fulfill their *obligation to protect* American citizens living abroad is in gross violation of international human rights law and jurisprudence (*Gonzales vs. USA*, Inter-American Commission on Human Rights, 2011).

The fact that American citizens are residing (or travelling) outside of American territory and jurisdiction does not extinguish the American government's *obligation to protect*. Please note that in the case at hand, the American government is not impeded by the 'state vs. federal' arguments that they are using in *Gonzales vs. USA*. In fact, the jurisprudence by the International Court of Justice, *Avena & Mexican nationals vs. USA*, 2004, *inter alia*, clearly provides the legal authority of Consulates to be informed as to judicial and extra-judicial procedures in which their citizens are involved, as well as protest over the violation of the rights of their citizens, under Art. 5 of the Convention of Consular Relations.

What is lacking here is the will and volition of governments to implement and utilize the laws at their disposition to protect victims of domestic violence, and not a lack in legislation or jurisprudence – as they contend.

Additionally, the American government's policy of refusing any assistance to American women and children victims of domestic abuse residing abroad, and involved in divorce and custody procedures, is flagrant discrimination by Department of State officials, and in violation of USA federal law (whereas their exist ample proof and documentation of rampant and extensive re-victimization of victims by judicial actors, their own lawyers included, see reports by Amnesty International, Save the Children, and CEDAW jurisprudence *Gonzalez Carreño vs. Spain*).

Please find enclosed a copy of *Family Courts in Crisis*, (FCC) Oct. 2013, which documents the fact that almost 70% of women involved in international child abduction (by mothers), are fleeing domestic abuse and the failure of host governments to fulfill their obligation to protect them. Not only are Consulates not providing these women, and victims, with the services and assistance mandated by federal and international law, but State Department officials are then providing ample assist to their abusers in tracking down and incarcerating these mothers, whose only crime is a desire to protect their children. The fact that State Department official's refusal to protect is guided by the same prejudices and 'habitual custom' as judicial actors (as

² Delegado General de la Mujer - Asuntos Sociales, Fiscal y Igualdad, Fiscal de Sala Delegada - Coordinadora contra la Violencia sobre la Mujer, S. Cazorla Prieto, Delegada del Gobierno para la Violencia de Genero - Secretaría de Estado de Servicios Sociales e Igualdad, B. Hernández Oliver

demonstrated in FCC) elevates their tort, culpability, and legal liability in light of *Gonzalez Carreño vs. Spain* and *Gonzales Lenahan vs. USA*.

The continual refusal of the Spanish, American, and French governments to utilize their power and authority to fulfill their obligation to protect, and their rationalization of said refusal (habitual custom) is exemplary and reflects the continuing bad faith of these governments in fulfilling their legal obligation, and official promises, to protect victims of domestic abuse and violence. As I have stated in the past, my case is no longer just about the violation of my and my children's rights, but rather how they are representative of the "a widespread or systematic attack directed against any civilian population [women], with knowledge of the attack [by its government]" (art. 7, Rome Statutes), and government's refusal to take positive action against the author of said attacks, refusal to take positive action in ending impunity of authors and their accessories, and refusal to take positive action in reversing discriminatory norms amongst judicial actors.

In light of the aforementioned, I am once again soliciting the assistance of the American Embassy and Consulate in Madrid in assuring that the Spanish government fulfill their obligation under Spanish and international law to investigate allegation in my official complaints and communications. I have repeatedly demonstrated my good faith in this matter, and for your records I am including my latest communication to Cuatrecasas regarding the issues involved.

Sincerely,



Quenby Wilcox

Links to Documents & Reports

Wilcox vs. Spain (UN-CEDAW)

English

Wilcox vs. Spain: Timeline - http://warondomesticterrorism.com/category/wilcox_vs_spain_story/

Press Releases - http://warondomesticterrorism.com/category/press_releases-wilcox_vs_spain/

Official Complaint to Spanish Defensor Pueblo y CGPJ – Part 1 (2012) - http://warondomesticterrorism.com/category/2012_defensor_del_pueblo_1_english/

Official Complaint to Spanish Defensor Pueblo y CGPJ – Part 2 (2102) - http://warondomesticterrorism.com/category/2012_defensor_del_pueblo_2_english/

Official Complaint to the Instituto de la Mujer (2012) - http://warondomesticterrorism.com/category/institute_of_women-2012/

Official Complaint to Spanish Defensor Pueblo APR (2014) - http://warondomesticterrorism.com/category/defensor_del_pueblo_4-14_english/

Official Complaint to the Colegio de Abogados de Madrid (Bar Association-English) JUN (2013) - http://warondomesticterrorism.com/category/colegio_de_abogados_2013_english/

Appeal #1 - Colegio de Abogados de Madrid (Bar Association - English) AUG (2013) - http://warondomesticterrorism.com/category/colegio_de_abogados_recurso_8-13_espanol/

Español

[Wilcox vs. España: Historia – http://warondomesticterrorism.com/category/wilcox-vs-spain-history/](http://warondomesticterrorism.com/category/wilcox-vs-spain-history/)
[Queja oficial al Defensor Pueblo y CGPJ – 1 \(2012\) – http://warondomesticterrorism.com/category/defensor_del_pueblo_1-2012_espanol/](http://warondomesticterrorism.com/category/defensor_del_pueblo_1-2012_espanol/)
[Queja oficial al Defensor Pueblo y CGPJ – 2 \(2012\) – http://warondomesticterrorism.com/category/defensor_del_pueblo_2-2012-espanol/](http://warondomesticterrorism.com/category/defensor_del_pueblo_2-2012-espanol/)
[Queja oficial al Instituto de la Mujer \(2012\) – http://warondomesticterrorism.com/category/instituto_de_la_mujer-2012/](http://warondomesticterrorism.com/category/instituto_de_la_mujer-2012/)
[Queja al Colegio Abogados, 1 JUN \(2013\) - http://warondomesticterrorism.com/category/colegio_abogados_6-13_espanol/](http://warondomesticterrorism.com/category/colegio_abogados_6-13_espanol/)
[Queja al Colegio Abogados, 2 JUN \(2013\) – http://warondomesticterrorism.com/category/2013colegio-abogados-2-esp-613/](http://warondomesticterrorism.com/category/2013colegio-abogados-2-esp-613/)
[Recurso #1 – Colegio Abogados \(2103\) – http://warondomesticterrorism.com/category/colegio_de_abogados_recurso_8-13_espanol/](http://warondomesticterrorism.com/category/colegio_de_abogados_recurso_8-13_espanol/)
[Recurso #2 - Colegio Abogados de Madrid \(Bar Association\) SEP \(2014\) – http://warondomesticterrorism.com/category/2014_colegio_de_abogados-recurso_al_exp279-13/](http://warondomesticterrorism.com/category/2014_colegio_de_abogados-recurso_al_exp279-13/)
[Recurso #3 - Colegio Abogados de Madrid \(Bar Association\) NOV \(2014\) – http://warondomesticterrorism.com/category/2014_colegio_abogados_recurso_communcacion_sept26/](http://warondomesticterrorism.com/category/2014_colegio_abogados_recurso_communcacion_sept26/)

CORRESPONDENCE TO US DEPT. OF STATE & AMERICAN EMBASSY IN MADRID

English

[State Dept Guideline \(7FAM, CFR22 , 22USC\) – http://warondomesticterrorism.com/category/state_dept_guidelines/](http://warondomesticterrorism.com/category/state_dept_guidelines/)
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FAMILY COURTS IN CRISIS NEWSLETTER

(by Quenby Wilcox)

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(by Quenby Wilcox)

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GLOBAL EXPATS

English

[Global Expats Presentation – Concept & Structure - http://warondomesticterrorism.com/www-global-xpats-com/](http://warondomesticterrorism.com/www-global-xpats-com/)

ⁱ *Gonzalez vs. España* – CEDAW-UN

SALA DE PRENSA



El País • España, agosto 08 de 2014

Estereotipos



La ONU ha condenado a España por negligencia en el caso de la muerte de Andrea, la hija de Ángela González, que fue asesinada por su padre durante uno de los permisos establecidos por el juez tras la separación de la pareja. Esto muestra que en la lucha contra la violencia de género todavía hay muchos prejuicios que remover. El dictamen del organismo es un varapalo para un país que, desde la ley contra la violencia machista de 2004, ha puesto en el punto de mira la lacra de los malos tratos que los hombres ejercen sobre sus parejas o exparejas. Aunque el caso, como señaló la directora del Instituto de la Mujer, Carmen Plaza, es anterior a la ley, las cifras recientes (cuatro muertas en los últimos cinco días) indican que aún queda mucho por hacer.

Ángela González y los servicios sociales habían desaconsejado que el padre se viera a solas con su hija. Pero el juez desoyó esas apreciaciones. En su decisión de concederle un régimen más amplio de visitas a un hombre que había sido denunciado más de 50 veces por maltratar y amenazar a su pareja primaron estereotipos —como dice el exdelegado del Gobierno para la Violencia de Género, Miguel Lorente— que hay que erradicar. El primero es que un maltratador puede ser un buen padre, y que para un niño es mejor mantener el contacto con un progenitor violento que estar apartado de él. Todavía no ha calado en la sociedad en general, y en la judicatura en particular, que un hombre que agrede a la madre de su hijo tiene un problema consigo mismo por resolver. Y que hay que tutelar su relación con alguien tan vulnerable como un niño mientras no consiga solucionarlo. La creciente preocupación por que los niños pudieran convertirse también en víctimas en los casos de violencia de género debería traducirse en medidas concretas de protección. Esto va en contra de lo que sucede actualmente, cuando solo el 3% de las sentencias por malos tratos incluyen la suspensión del régimen de visitas.

El segundo estereotipo es recurrente desde que se aprobó la ley contra la violencia machista: que las mujeres abusan de su condición de víctimas para obtener beneficios en los procesos de divorcio. Para desmentirlo, la Fiscalía General del Estado cifra en menos del 0,01% las denuncias falsas por malos tratos.

Erradicar esos dos estereotipos sería un primer paso importante para proteger a los niños involucrados en situaciones tan dramáticas como que un padre pegue —o mate— a una madre.

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October 27, 2014

Dear Messrs. Fontana, Cuatrecasas, Adroer, Badía, Echevarría, Moya, Perestrelo, Pérez-Crespo, Pérez-Iriondo, Ramírez, Segura, Trías and Ms. João,

I am contacting you regarding a domestic violence divorce case that Mr. Jorge Capell of your firm Cuatrecasas, Gonçalves Pereira (Madrid) handled in 2008, and which is currently headed towards the international courts of human rights against the Spanish government for their failure

to protect victims of domestic violence in Spain, and combat discrimination against women in their courts (see [Gonzalez vs. Spain, 2014 UN-CEDAW¹](#)).

In addition to the aforementioned jurisprudence, the extensive cover-up for domestic violence by judicial actors in Spain is well documented by Amnesty International, Spain and Save the Children, Spain (*¿Que Justicia Especializada?* and *La Justicia Española Frente al Abuso Sexual en el Entorno Familiar* – see attached [Family Courts in Crisis²](#) newsletters which are distributed to over 3000 journalists, activists, and human rights lawyers in the USA & Europe).

Furthermore, the discriminatory norms and traditions which produce and sustain the cover-up of domestic violence in family courts, its causes and consequences, is well-documented by UN reports, national & international studies and reports, and judicial jurisprudence. (Copies of these reports and documents are posted on www.warondomesticterrorism.com).

While in May-June of 2008, when Mr. Capell took over my case, it had admittedly been previously mis-managed by Ms. Belen Garcia Martin, who had covered-up evidence of domestic violence in my case, as well as prevented me from accessing sufficient common property assets for daily living expenses, as well as legal fees, in her efforts to intimidate and silence me.

However, in his representation of me, Mr. Capell knowingly continued with the same tactics as Ms. Garcia, refusing to petition financial records of common property assets as well as refusing to introduce evidence of my ex-husband's abuse into courts documents and records. Evidence of said abuse included repeated threats upon my life, repeated visits to my home by local police officers responding to domestic disturbance calls (2007), my ex-husband's involvement in the sabotage of my website, www.global-expats.com, my ex-husband's falsification of court-documents, evidence of my ex-husband's efforts to defraud me, etc.. Mr. Capell even attempted to suppress the expert testimony of forensic psychiatrist, Dr. Francisco Orengo, by failing to notify him of the court-hearing, a fact Dr. Orengo can corroborate. (See attached letters from Astrid Betancourt (Sister of Ingrid Betancourt) and Dr. Piedad Rojas Gil (psychiatrist and long-time friend) and reports from Dr. Francisco Orengo and psychologist Joaquina Perez Mateos which corroborate my testimony and story.)

A simple examination of court-records in my case will show that there was no introduction of evidence of domestic abuse, and that my lawyers never petitioned appropriate financial records of common property assets, nor ever protested to the efforts and tactics of my ex-husband to defraud me of common property assets – (see documents presented in my various complaints to the Colegio de Abogados de Madrid against implicated lawyers with links provided below.)

Additionally, it is my understanding from Mr. Ignacio Gonzalez Martinez (my legal representative 2010-2012), that Mr. Capell contacted him in 2010, inciting him to continue with efforts to prevent me from accessing common property records in the *liquidación de ganancial*, 2012).

The actions, and omission of actions, by Mr. Capell and other implicated lawyers, have resulted not only in my ex-husband defrauding me of millions of euros in common property assets and

¹ http://www.womenslinkworldwide.org/wlw/new.php?modo=detalle_proyectos&dc=62

² http://warondomesticterrorism.com/category/fcc_newsletters/

defamation of my character with malicious false allegations in court-documents and un-appealed judicial decisions, but also prevented me from creating and developing my company, Global Expats/www.global-xpats.com during the past 7 years.

It has taken me these 7 years, (while being officially homeless, temporarily employed, and continually denied access to all of my assets and funds in Spain, and during which time my (un-employed) ex-husband has maintained luxury residences in Madrid & Barcelona, belying his contention of bankruptcy), to procure the funding necessary to re-create my website and promote my project. Please find enclosed a presentation of Global Expats, which explains the project in its entirety, and my [Linkedin profile](#)³ where I have been promoting it for the past 4 years.

Since its inception in 2006, Global Expats has received enormous interest and approbation from the global mobility industry in the USA and Europe, as well as from expatriates around the world. The project has also received interest from various capital venturists and angel investors in the USA and Spain in the past 2 years. The negligence of my lawyers, my problems within the courts, and the ensuing challenges in creating Global Expats is common knowledge amongst hundreds of people in the global mobility and Internet Start-up industries in the USA and Europe.

At present my competitor websites, namely www.yelp.com and www.tripadvisor.com, are generating revenues of \$320 million and \$944 million, respectively. The financial damage to my company from lost revenues in the past years, **as a direct result of my lawyer's negligence and malpractice**, is in the hundreds of millions, if not billions of euros – with loss of jobs to the Spanish economy at several thousands (without mentioning the damage done to the reputation of the Spanish judicial system amongst potential foreign investors and the international community.)

In the past 7 years, I have continually acted in good faith, impressing upon my lawyers that my greatest priority was accessing my assets in order to move forward in creating Global Expats, provide financial security for me and my children, and live in peace free from continual threats and attacks from my ex-husband and his family in Spain – **as is my right under Spanish and international law.**

I have continually informed implicated lawyers that I was documenting all of their irregularities, and would pursue all legal resources at my disposition for any violation of my rights and their malpractice. Their response was always typical Spanish [callate tonta](#)⁴ rhetoric, with one lawyer saying to me “Who cares lady. We do this all the time. Who are you going to tell?” and another lawyer screaming at me saying “You’ll never see a penny of your money, so just go away!” The attitude that [upper-class homemakers are worthless ‘trophy wives’](#)⁵, who do nothing but [‘sponge off their husbands’](#)⁶ is all too prevalent amongst lawyers and judge, and is reflected in the attitude of the lawyers and judges in my case.

The Spanish democratic model is perhaps the best in the world in offering their legal profession and judicial system the opportunity to respect, promote and defend the rights of women, as well

³ <http://www.linkedin.com/pub/dir/Quenby/Wilcox>

⁴ <http://worldpulse.com/node/13177>

⁵ http://www.huffingtonpost.com/quenby-wilcox/-opting-back-in-not-as-pea_b_4800328.html

⁶ <http://www.womenalia.com/us/blogs/having-it-all/why-the-cock-bird-can-feather-his-nest>

as combat discrimination and violence against women, but is miserably failing to do so. The prejudices and discriminatory norms amongst judicial actors (and public authorities) is so deeply entrenched in their psyche and manners that not only are they violating women's rights on a daily basis, but they are in gross violation of Spanish and international law.

In the past 2½ years I have diligently filed complaints with the [*Defensor del Pueblo y Consejo General del Poder Judicial, 2012*⁷](#), [*Instituto de la Mujer, 2012*⁸](#), [*UN Commission on the Status of Women, 2012*⁹](#), [*Colegio de Abogados de Madrid, 6/13*¹⁰](#), [*Colegio de Abogados de Madrid, 8/13*¹¹](#), [*Defensor del Pueblo, 4/14*¹²](#), y [*Colegio de Abogados de Madrid, 9/14*¹³](#), as well as [*solicited assistance from US Department of State officials in Madrid and Washington*¹⁴](#) – with all public authorities refusing to take appropriate action as provided for under domestic and international law. Not only do I have a compelling case against the Spanish government under their 'obligation to protect' (*Gonzales vs. USA*, 2011) and 'obligation to assure non-discrimination' (*Gonzalez vs. Spain*, 2014), but also against the American government for their refusal to utilize their power and authority to protect their citizens living abroad.

I am still in the process of exhausting all domestic remedies before presenting my case to the international courts, with present efforts of Spanish public authorities to 'sweep my case under the carpet' strengthening my case and arguments against them. I am also strenuously lobbying media outlets in the USA and Spain to expose the rampant and horrific human rights violations and re-victimization of millions of women and children in family courts around the world.

My case is no longer just about seeking appropriate reparation for me and my children. It is about raising awareness amongst human, civil, and women's rights activists/organizations and the general public as to the elevated discrimination against women in family courts; the rampant cover-up for domestic abuse within the courts; and the refusal of public authorities to take appropriate action as provided for under the law.

Furthermore, the refusal of public authorities to combat discriminatory customs and traditions within the courts, which promotes and perpetuates violence against women in societies, **elevates these human rights violations[1] to crimes against humanity** as defined by the Roma Statutes.

The political platform and ideological argumentation denouncing the sustenance of violence against and oppression of women by family courts (and governments) as crimes against humanity are provided in my blogs:

- Huffington Post - www.huffingtonpost.com/quenby-wilcox/
- Womenalia - www.womenalia.com/us/blogs/having-it-all
- Reuters Foundation - <http://www.trust.org/profile/?id=003D000001UsJcflAF>
- War on Domestic Terrorism - www.warondomesticterrorism.com
- World Pulse - www.worldpulse.com/user/2759
- Global Expats - www.global-xpats.com

⁷ http://warondomesticterrorism.com/category/defensor_del_pueblo_1-2012_espanol/

⁸ http://warondomesticterrorism.com/category/instituto_de_la_mujer-2012/

⁹ http://warondomesticterrorism.com/category/un_com_status_of_women-2012/

¹⁰ http://warondomesticterrorism.com/category/colegio_abogados_6-13_espanol/

¹¹ http://warondomesticterrorism.com/category/colegio_de_abogados_recurso_8-13_espanol/

¹² http://warondomesticterrorism.com/category/defensor_del_pueblo_4-14_espanol/

¹³ http://warondomesticterrorism.com/category/defensor_del_pueblo_9-14_espanol/

¹⁴ <http://www.warondomesticterrorism.com/>

My greatest desire is to return to Spain and my children (who I have not seen in over 7 years) as soon as possible, create and develop Global Expats with its headquarter in Madrid, and move forward in developing effective solutions to one of the greatest crisis and human rights issues of our times – the failure to eradicate violence and discrimination against women in societies around the world.

Unfortunately, until the lawyers (and other judicial actors) implicated in my case are held accountable for their gross negligence, malpractice, and financial damages produced (as a deterrent to other lawyers who feel at liberty to participate in legal abuse, cover-up for the domestic abuse of their clients, act as accessories to the misappropriation/fraud of common property assets of women, or any other actions/omission of actions which perpetuate the oppression of women), I will be propelled to pursue protracted litigation within the international courts.

As an act of good faith, I wished to notify you as to the current situation, the highly public nature of the case, and implications for the future. Not only is my case important as to my documentation of how and why the negligence and discriminatory norms within the legal profession are re-victimizing victims of domestic abuse, but also how negligence amongst Spanish lawyers is impeding fair trade and commercial development, contributing to unethical business practices, and contributing to the economic crisis in Spain ([Masciandaro and Quintyn¹⁵](#), 2007).

Thank you in advance for your time and consideration.

Sincerely,



Quenby Wilcox

¹⁵ <http://www.amazon.com/Designing-Financial-Supervision-Institutions-Accountability/dp/1847202160>

Quenby Wilcox
 Founder – Global Expats
 Founer – Safe Child International
Quenby@global-xpats.com


**Table 1: Violation of Rights & Infractions under the Law
 & Table 2: Causal Relationships, Violation of Rights, & Damages in
 609/2007, 1140/2007, 1143/2007 & all related court cases**

Appeal by Quenby Wilcox of *Preliminar 859/13 of Ilustre Colegio de Abogados de Madrid* (Bar Association) in the complaint by Quenby Wilcox (June 14, 2013) against Gonzalo Martínez de Haro, María Fernanda Guerrero Guerrero, Belén García Martin, José Manuel Hernández Jiménez (abogado de oficio,) Jorge Capell de Cuatrecasas, Gonçalves Pereira, Alberto Fontes García Calamarte, Miguel Martínez López de Asiain, Ignacio González Martínez, Cuatrecasas, Gonçalves Pereira, & Silvia Hinojal. All pertinent documents are posted on <http://worldpulse.com/node/72778>

Jerarquía de las normas	Normativa de la Unión Europea y de la OIT	
	Constitución	
	Tratados Internacionales y Normativa de la OIT	
	Leyes (emanadas de las Cortes)	Leyes orgánicas
		Leyes ordinarias
	Normas con rango de ley (actos con fuerza de ley emanadas del Gobierno)	Reales decretos-ley
		Reales decretos legislativos
		Textos articulados
		Textos refundidos
	Reglamentos	Reales decretos (del Gobierno)
		Órdenes (de las comisiones delegadas del Gobierno)
		Órdenes ministeriales

Tabla 1: Violation of Rights & Infractions under the Law

(See the complaints against each lawyer with corresponding details)

The Hierarchy of Spanish Judicial Norms 								
Defendant	Complaint	Constitución Española	European convention on human rights(CEDH) Convention on the Elimination of Violence Against Women (CEVCM) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) International Covenant on Civil and Political Rights (ICCPR) International Covenant on Economic, Social and Cultural Rights (ICESCR) Declaration of Basic Principle of Justice for Victims of Crimes and Abuses of Power(DJVCAP) Convention on the Rights of Children(CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law del Poder Judicial – ODJ	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001 – RD 658	Spanish Deontological Code
		Art.	Art.	Art.	Art.	Art.	Art.	Art.
Gonzalo Martínez de Haro de Vinader, Carlos and Assoc. (Defendant A)	A1. Violation of the right not to testify against oneself, right to an effective defense, and the right to privacy	24 18	CEDH 1 2 3 5 6 8 13 14 CEVCM 3 4 ICCPR 9 17 23 24 ICESCR 1 6 10	11 12 22 29 109 110 116 195 450 451.3 510 511 607bis	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 7 11 12 13 CVG 87 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13
	A2. Violation of the right to work, to the free choice of profession or trade, not to be deprived of his or her property. The failure of Sr. Martínez de Haro to exhibit due diligence in assuring that I could access common property assets and initiate litigation against my web designers and continue	35 38 34 33	CEDH 1 4.1 14 CEVCM 3 CEDAW 2 3 4 5 11 13 15 16 ICCPR 1 2 3 17 23	10 11 467,2 510 512 199 208	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255	AI 1 2 3 4 6 7 9 10 11 12 13 CVG 87 1 2 17 18 19 37 38 39 ODJ	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

	working on Global Expats (the reason I went to see him in July) renders him liable damages incurred.		26 ICESCR 1 6 7 10 11 DJVCAP 8 annex		1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	1 5 6 9 11 17		
	A3. Prevent the commission of a crime that affects the life of a person, their integrity or heath liberty or sexual liberty Prevent the commission of a crime that affects the life of a person, their integrity or heath liberty or sexual liberty	9 10 13 14 15 24	CEDH 1 2 3 5 14 CEVCM 3 4 CEDAW 2 3 4 5 11 13 15 16 ICCPR 6 7 9 17 23 26 ICESCR 1 6 7 10 11	10 11 22 27 28 29 450 451 465 467.2 511 512 607bis 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 7 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

Defendant	Complaint	Constitución Española	Convenios Internacionales - (CEDH) - (CEVCM) - (CEDAW) - (ICCPR)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law del Poder Judicial –	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001 – RD 658	Spanish Deontological Code
M.F Guerrero Guerrero (Defendant B)	B1. Sra. Guerrero advised me to personally go to the juzgado de Móstoles in order to appeal sentencia 609/2007			467.2				1 2 3 4 5 6 9 10 11 12 13

Defendant	Complaint	Constitución Española	Convenios Internacionales (CEDH) (CEVCM) (CEDAW) (ICCPR) (ICESCR) (DJVCAP) (CAT) (CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law del Poder Judicial – ODJ	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001 – RD 658	Spanish Deontological Code
Belen Garcia Martin (Defendant C)	C1. Prevent the commission of a crime that affects the life of a person, their integrity or heath liberty or sexual liberty	9		10	6	AI	1	1
		10	CEDH	11	7	1	4	2
		13	1	22	8	2	5	3
		14	2	27	27	3	6	4
		15	3	28	348	4	7	5
		24	5	29	349	6	11	6
			14	450	1088	9	12	9
			CEVCM	451	1089	10	17	10
			3	465	1091	11	21	11
			4	467.2	1092	12	22	12
			CEDAW	511	1093	13	23	13
			2	512	1094	CVG	87	
			3	607bis	1097	1	87bis	
			4		1098	2	87ter	
			5		1101	17		
			11		1102	18		
			13		1104	19		
			15		1106	37		
			16		1107	38		
			ICCPR		1254	39		
			6		1255	ODJ		
			7		1262	1		
			9		1271	5		
			17		1279	6		
			23		1347	9		
			26		1362	11		
			ICESCR		1365	17		
			1		1369			
			6		1375			
			7		1383			
			10		1386			
			11		1390			
					1391			
	C2. Failure to access common property assets and solicit common property documents (1991 – 2008). The failure of Sra. Garcia to exhibit due diligence in assuring the defense of those rights render them responsible for all damages to my financial assets and funds as well as lost revenues.	33.3	CEDH	10	103	AI	1	1
		35	1	11	137	1	4	2
		14	4.1	22	138	2	5	3
		24	14	29	6	3	6	4
			CEVCM	110	7	4	7	5
			3	111	8	6	11	6
			CEDAW	112	27	9	12	9
			2	113	348	10	17	10
			3	116	349	11	21	11
			4	117	1088	12	22	12
			5	120	1089	13	23	13
			11	173	1091	CVG	87	
			13	195	1092	1	87bis	
			15	208	1093	2	87ter	
			16	250	1094	17		
			ICCPR	450	1097	18		
			1	451.2 465	1098	19		
			2	512	1101	37		
			3	607bis	1102	38		
			17		1104	39		
			23		1106	ODJ		
			26		1107	1		
			ICESCR		1254	5		
			1		1255	6		
			6		1262	9		
			7		1271	11		
			10		1279	17		
			11		1347			
			DJVCAP		1362			
			8 annex		1365			
					1369			
					1375			
					1383			
					1386			

					1390 1391				
C3. Occult evidence of the abuse of Sr. González de Alcalá & negligence of Sr. Martínez de Haro	14	CEDH 1 2 3 5 8 13 14 CEVCM 3 4 ICCPH 2 6 7 9 17 23 26	10	6	AI	1	1		
	24		11	7	1	4	2		
	45.1		22	8	2	5	3		
			27	27	3	6	4		
			28	348	4	7	5		
			29	349	6	11	6		
			195	1088	9	12	9		
			450	1089	10	17	10		
			451	1091	11	21	11		
			465	1092	12	22	12		
			467.2	1093	13	23	13		
			511	1094	CVG	87			
			512	1097	1	87bis			
			607bis	1098	2	87ter			
				1101	17				
				1102	18				
				1104	19				
				1106	37				
				1107	38				
				1254	39				
				1255	ODJ				
				1262	1				
				1271	5				
				1279	6				
				1347	9				
				1362	11				
				1365	17				
				1369					
				1375					
				1383					
				1386					
				1390					
				1391					
	C4. Introduction of information, and false testimony in her renunciation of representation(vea Documento #2C - Renuncia a la Defensa of the parte de Sra. Belen Garcia Martin - 1140-2007)		1		22	6	AI	1	1
			9		390.3	7	1	4	2
			10		390.4	8	2	5	3
24		393	27		3	6	4		
45.1		429	348		4	7	5		
		450	349		6	11	6		
		451	1088		9	12	9		
		461	1089		10	17	10		
		464	1091		11	21	11		
		465	1092		12	22	12		
		467.2	1093		13	23	13		
		510	1094		CVG	87			
		511	1097		1	87bis			
		512	1098		2	87ter			
		607bis	1101		17				
			1102		18				
			1104		19				
			1106		37				
			1107		38				
			1254		39				
			1255		ODJ				
			1262		1				
			1271		5				
			1279		6				
			1347		9				
			1362		11				
			1365		17				
			1369						
			1375						
			1383						
			1386						
			1390						
			1391						

	Complaint	Constitución Española	Convenios Internacionales (CEDH) (CEVCM) (CEDAW) (ICCPR) (ICESCR) (DJVCA) (CAT) (CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law of the Poder Judicial – ODJ	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001 – RD 658	Spanish Deontological Code
José Manuel Hernández Jim énez (Defendant E)	E1. Failure to provide an effective defense and protect the interests and rights in front of tribunals Failure to provide an effective defense and protect the interests and rights in front of tribunals	14 24	CEDAW 2 3 4 5 11 13 15 16	10 11 22 29 451.2 465 512	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 9 10 11 12 13 CVG 87 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

Defendant	Complaint	Constitución Española	Convenios Internacionales (CEDH) (CEVCM) (ICCPR) (DJVCA) (CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law of the Poder Judicial – ODJ	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001	Spanish Deontological Code
Jorge Capell, Cuatrecas, Gonçalves Pereira	F1. Failure to assure an effective defense, and occult evidence of abuse and criminal acts on the part of Sr. González de Alcalá and negligence on the part of Sr. Martínez de Haro, Sra. Belen García Martín, and Sr. Hernández Jiménez Hernández	9 10 14 24 45.1	CEDH 1 2 3 5 8 13 14 CEVCM 3 4 CEDAW 2 3 4 11 13 15 16 ICCPR 2 6 7 9	10 11 22 27 28 29 195 450 451 465 467.2 511 512 607bis	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347	AI 1 2 3 4 6 9 10 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

			17 23 26		1362 1365 1369 1375 1383 1386 1390 1391	11 17		
Prevent the commission of a crime that affect the life of a person, integrity or health, liberty o sexual liberty.	9 10 13 14 15 24		CEDH 1 2 3 5 14 CEVCM 3 4 CEDAW 2 3 4 5 11 13 15 16 ICCPR 6 7 9 17 23 26 ICESCR 1 6 7 10 11	10 11 22 27 28 29 450 451 465 467.2 511 512 607bis 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 10 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13
F2. Failure to Access common property assets and documents (1991 – 2008). The failure of Sr. Capell to exhibit due diligence in assuring the defense of those rights render them responsible for all damages to my financial assets and funds as well as lost revenues.	33.3 35 14 24 20.4 1 9 10 18 32		CEDH 1 4.1 14 CEVCM 3 CEDAW 2 3 4 5 11 13 15 16 ICCPR 1 2 3 17 23 26 ICESCR 1 6 7 10 11 DJVCAP 8 annex	10 11 22 29 110 111 112 113 116 117 120 173 195 208 250 450 451.2 465 512 607bis 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	1318 1256 1258 1089 1091 1098 1101 1102 1107 1256 1258 1278 6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 9 10 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

	Complaint	Constitución Española	Convenios Internacionales (CEDH) (CEVCM) (CEDAW) (ICCPR) (ICESCR) (DJVCAP) (CAT) (CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law del Poder Judicial – ODJ	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001 – RD 658	Spanish Deontological Code
Alberto Fontes Garcia-Calamarte (Defendant G)	G1. Failure to Access common property assets and documents (1991 – 2008)	Art. 33.3 35 14 24	CEDH 1 4.1 14 CEVCM 3 CEDAW 2 3 4 5 11 13 15 16 ICCPR 1 2 3 17 23 26 ICESCR 1 6 7 10 11 DJVCAP 8 annex	10 11 22 29 110 111 112 113 116 117 120 173 195 208 250 450 451.2 465 512 607bis	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 9 10 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13
	G2. Assure an effective defense, and occult evidence of abuse and criminal acts on the part of Sr. González de Alcalá and negligence on the part of Sr. Martínez de Haro, Sra. Belen García Martín, Sr. Hernández Jiménez Hernández, and Jorge Capell	9 10 14 24 45.1	CEDH 1 2 3 5 8 13 14 CEVCM 3 4 ICCPR 2 6 7 9 17 23 26	10 11 22 27 28 29 195 450 451 465 467.2 511 512 607bis	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 7 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

	Complaint	Constitución Española	Convenios Internacionales (CEDH) (CEVCM) (CEDAW) (ICCPR) (ICESCR) (DJVCAP) (CAT) (CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad - AI Ley contra la violencia de género - CVG Organic Law del	Ordinary Law Estatuto General of the Abogacia Española, Real Decreto 658/2001 - RD 658	Spanish Deontological Code
Miguel Martínez López de Asiain & Ignacio González Martínez (Alcade de Gargantilla del Lozoya and Pinilla de Buitrago)	F1. Assure an effective defense, and occult evidence of abuse and criminal acts on the part of Srs. Gonzalo Martínez de Haro of Vinader, Belen García Martín; Jose Manuel Hernández Jiménez; Jorge Capell de Cuatrecasas, Gonçalves Pereira; and Alberto Fontes García Calamarte;	Art. 9 10 14 24 45.1	CEDH 1 2 3 5 8 13 14 CEVCM 3 4 ICCPR 2 6 7 9 17 23 26	10 11 22 27 28 29 195 450 451 465 467.2 511 512 607b is 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 9 10 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13
	Prevent the commission of a crime that affects the life of a person, their integrity or heath liberty or sexual liberty(Art. 450 del Penal Code, Art. 9, 10, 13, 14, 15 AND 24 del Constitución, and Art. 2, 3, 4, 6, de Acto de Igualdad)	9 10 13 14 15 24	CEDH 1 2 3 5 14 CEVCM 3 4 CEDAW 2 3 4 5 11 13 15 16 ICCPR 6 7 9 17 23 26 ICESCR 1 6 7 10 11	10 11 22 27 28 29 450 451 465 467.2 511 512 607b is 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 9 10 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13
	F2. Failure to Access common property assets and documents (1991 – 2008), and efforts of my ex-husband to defraud me of my assets. The failure of Sr. Gonzalez and Martínez to exhibit due diligence in assuring the defense of those rights render them liable for all damages to	33.3 14	CEDH 1 4.1 14 CEVCM 3 CEDAW 2 3 4 5 11 13 15 16	10 11 22 27 28 29 109 110 111 112 116 252 267 298 512	1256 1258 1278 6 7 8 27 348 349 1088 1089 1091 1092 1093 1094	AI 1 2 3 4 6 9 10 11 12 13 CVG 1 2 17	1 4 5 6 7 11 12 17 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

	my financial assets and funds as well as lost revenues.		ICCPR 1 2 3 17 23 26 ICESCR 1 6 7 10 11 DJVCAP 8 annex		1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	18 19 37 38 39 ODJ 1 5 6 9 11 17		
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	Complaint	Constitución Española	Convenios Internacionales (CEDH) (CEVCM) (CEDAW) (ICCPR) (ICESCR) (DJVCAP) (CAT) (CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law del Poder Judicial – ODJ	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001 – RD 658	Spanish Deontological Code
Cuatrecas, Gonçalves Pereira (Defendant I)	II. Under art. 1098, Cuatrecasas had the obligation to fulfill the contractual obligation of Mr. Jorge Capell that he had failed to fulfill in July - September 2008. The failure to do so, and cover-up their knowledge of crimes committed by Mr. Capell render them liable for financial damages incurred.		CEDH 1 2 3 5 14 CEVCM 3 4 CEDAW 2 3 4 5 11 13 15 16 ICCPR 1 2 3 7 9 17 23 26 ICESCR 1 6 7 10 11 DJVCAP 8 annex		6 7 8 27 348 349 1088 1089 1091 1092 1093 1094 1097 1098 1101 1102 1104 1106 1107 1254 1255 1262 1271 1279 1347 1362 1365 1369 1375 1383 1386 1390 1391	AI 1 2 3 4 6 9 10 11 12 13 CVG 1 2 17 18 19 37 38 39 ODJ 1 5 6 9 11 17	1 4 5 6 7 11 12 17 21 22 23 87 87bis 87ter	1 2 3 4 5 6 9 10 11 12 13

	Complaint	Constitución Española	Convenios Internacionales (CEDH) (CEVCM) (CEDAW) (ICCPR) (ICESCR) (DJVCAP) (CAT) (CRC)	Penal Code	Civil Code	Organic Law Acto de Igualdad – AI Ley contra la violencia de género – CVG Organic Law del Poder Judicial – ODJ	Ordinary Law Estatuto General of the Abogacía Española, Real Decreto 658/2001 – RD 658	Spanish Deontological Code
Silvia Hinojal	Introduction of falsified documents in 1140/2007			396 22 28b		ODJ 11		
Convenios Internacionales 1. European convention on human rights(CEDH) 2. Convention on the Elimination of Violence Against Women (CEVCM) 3. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 4. International Covenant on Civil and Political Rights(ICCPR) 5. International Covenant on Economic, Social and Cultural Rights (ICESCR) 6. Declaration of Basic Principle of Justice for Victims of Crimes and Abuses of Power(DJVCAP) 7. Convention on the Rights of Children(CRC)								

Violation of Rights in 609/2007, 1140/2007, 1143/2007 and all related court cases

Right to life and to physical and moral integrity, and under no circumstances may be subjected to torture or to inhuman or degrading punishment or treatment (art. 15 of the Spanish Constitution, art. 2 & 3 of the *European Convention on Human Rights*, and art. 3 and 4 of the *Declaration on the Elimination on Violence Against Women, inter alia*.)

The right to work, to the free choice of profession or trade, to advancement through work, and to a sufficient remuneration for the satisfaction of [my] needs and those of [my] family (art. 35 of the Spanish Constitution, art. 4 of the *European Convention on Human Rights*, art. 3 of the *Declaration on the Elimination of Violence Against Women*, art. 11 of the *Declaration on the Elimination of Discrimination Against Women*, and art. 6 of the *International Convention on the Economic, Social, and Cultural Rights, inter alia*)

Right to access my property (funds and other assets) (art. 33.3 of the Spanish Constitution, art. 3 and 4 of the *Declaration on the Elimination on Violence Against Women*, art. 13, 15 and 16 of the *Declaration on the Elimination of Discrimination Against Women*, art. 1 of the *International Convention on the Economic, Social, and Cultural Rights*, and art. 1 of the *International Convention on Civil and Political Rights, inter alia*.)

All persons have the right to obtain effective protection from the judges and the courts in the exercise of their rights and legitimate interests, and in no case may there be a lack of defense (art. 24 of the *Spanish Constitution*, art. 5, 6 and 13 of the *European Convention on Human Rights*, art. 3 and 4 of the *Declaration on the Elimination of Violence Against Women*, art. 6 and 10 of the *International Convention on the Economic, Social, and Cultural Rights*, art. 9, 14, 23, 24 of the *International Convention on Civil and Political Rights*, and art. 2, 3, 5, 6, 8, 9, 10, 18, 19 and 20 of the *Convention on the Rights of the Child, inter alia*)

Right not to be Discriminated Against (art. 14 of the *Spanish Constitution*, 3 of the *Declaration on the Elimination of Violence Against Women*, art. 2, 4, 5 and 12 of the *Declaration on the Elimination of Discrimination Against Women*, art. 2 of the *International Convention on the Economic, Social, and Cultural Rights*, and art. 26 of the *International Convention on Civil and Political Rights, inter alia*)

Right to privacy (art. 18 of the *Spanish Constitution*, art. 8 of the *European Convention on Human Rights*, and art. 17 of the *International Convention on Civil and Political Rights, inter alia*)

**Tabla 2 – Relaciones Causales, Violaciones de derechos, and daño en
609/2007, 1140/2007, 1143/2007 and all court cases**

Actor	Action or Omission of Action	Consequence	Violated Right	Damage Caused
Gonzalo Martínez de Haro	Failure to present evidence of abuse of Javier González de Alcalá. Failure to appeal the sentence of 609/2007 that damaged my credibility in divorce 1140/2007 and 1143/2007 and prevent me from accessing common property funds (through a subpoena.)	Augmentation of the violence, threats on my life, psychological abuse without any recourse or assistance from the courts or forces of law.	1. Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment.	I suffered fear for my life and the security of my children, post-traumatic stress, insomnia, head-aches, depression, etc (psychological abuse, torture.) Supports, sustains, and augments the abuse and threats of J. González de Alcalá.
		Retention of common property funds for daily living expenses and funds in order to start my business, www.global-expats.com	Right of access to my property (funds and other assets.)	Financial destitution for the failure to access my common property funds and assets. It was impossible to assume daily expenses, and litis expenses for my defense in Spain.
			The right to work, remuneration for my work, and sufficient remuneration for the satisfaction of my necessities and the necessities of my family.	Failure to access common property funds in order to initiate litigation against the web designer of www.global-expats.com and/or have a new website built. In 2008 the principle competitor websites of www.global-expats.com (www.yelp.com) was earning revenues of \$12 million usd with investments of \$17 million usd. (In 2005 they received \$5 million usd, 2006 received \$10 million, and 2008 received \$15 million from capital venture companies.) Already in 2008 the commercial model that I was developing with www.global-expats.com was enjoying success on the Internet, as well as with investors (capital venture) and financial results. It as, and is, the most successful and profitable commercial model at that time as well as today. Additionally, www.global-expats.com offers a comprehensive

				<p><u>solution to the number one challenge of multinationals around the world</u>; the adaptation and integration of the expatriated family.</p> <p>The target market of Global Expats is 300 million consumers around the world with €6 trillones, and a highly elevated necessity for the information www.global-expats.com will offer.</p> <p>THE ONE and ONLY REASON THAT I HAVE NOT BEEN ABLE TO DEVELOP THE PROJECT IS <u>MY INABILITY TO ACCESS MY COMMON PROPERTY FUNDS</u> (AND FINANCIAL RECORDS) IN THE LAS 7 YEARS <u>BECAUSE OF THE NEGLIGENCE and MALPRACTICE OF MY LAWYERS.</u></p>
	The failure to challenge prejudices and double standards of the presiding judge about what constitutes a “respectable and honorable” woman and the right of a man over the life of his wife.		The Right not to be discriminated against	There was a (false) final sentence absolving J. González de Alcalá of all fault and guilty of his abuse and violence, while there was a (false) final sentence that found me an alcoholic ad drug-addict! Clearly, putting me in an unfavorable situation and discrimination in divorce proceedings and custodial decisions.

Actor	Action or Omission of Action	Consequence	Violated Right	Damage Caused
Belén García Martín	Failure to present evidence of abuse of Javier González de Alcalá, and the negligence (abuse of power) of Sr. Gonzalo Martínez de Haro and María Fernanda Guerrero Guerrero.	Augmentation of the violence, threats on my life, psychological abuse without any recourse or assistance from the courts or forces of law.	<ol style="list-style-type: none"> 1.Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment. 	<p>I suffered fear for my life and the security of my children, post-traumatic stress, insomnia, head-aches, depression, etc (psychological abuse, torture.)</p> <p>Supports, sustains, and augments the abuse and threats of J. González de Alcalá.</p>
	Failure to request temporary alimony, and child support that would adequately cover the daily expenses (and education) of my children; leaving me to assume all expenses of the family with only €500/month (which were normally €3-4000/month.)	Retention of common property fund with which to assume daily living expenses as well as continue creating my company, www.global-expats.com	Right of access to my property (funds and other assets.)	<p>Financial destitution for the failure to access my common property funds and assets. It was impossible to assume daily expenses, and <i>litis expenses</i> for my defense in Spain.</p> <p>Also the contention of Spanish lawyers and judges that women/homemakers do not have the right to access common property nor consideration for her years of labor in fixing alimony during the dissolution of marriage that relegates the homemaker to a status of slave/servitude without any rights, and as such the Spanish State guilty of human rights violations under international treaties.</p>
	Failure to request <i>litis expensas</i> under the contention that women in Spain do not have the right to access common property assets during the dissolution of the marriage.		The right to work, remuneration for my work, and sufficient remuneration for the satisfaction of my necessities and the necessities of my family.	<p>Failure to access common property funds in order to initiate litigation against the web designer of www.global-expats.com and/or have a new website built.</p> <p>In 2008 the principle competitor websites of www.global-expats.com (www.yelp.com) was earning revenues of \$12 million usd with investments of \$17 million usd. (In 2005 they received \$5 million usd, 2006 received \$10 million, and 2008 received \$15 million from capital venture companies.) Already in 2008 the commercial model that I was developing with www.global-expats.com was enjoying success on the Internet, as well as with investors (capital venture) and financial results. It as, and is, the most successful and profitable commercial model at that time as well as today.</p> <p>Additionally, www.global-expats.com offers a <u>comprehensive solution to the number one challenge of multinationals around the</u></p>

				<p>world: the adaptation and integration of the expatriated family. The target market of Global Expats is 300 million consumers around the world with €6 trillion, and a highly elevated necessity for the information www.global-xpats.com will offer.</p> <p>THE ONE and ONLY REASON THAT I HAVE NOT BEEN ABLE TO DEVELOP THE PROJECT IS <u>MY INABILITY TO ACCESS MY COMMON PROPERTY FUNDS</u> (AND FINANCIAL RECORDS) IN THE LAS 7 YEARS <u>BECAUSE OF THE NEGLIGENCE and MALPRACTICE OF MY LAWYERS.</u></p>
	The failure to challenge <i>de facto</i> discrimination against women by family courts in Spain that authorize access to common property assets during the dissolution of the marriage.	Discrimination against women by Spanish courts and judicial decisions. Violation of the Spanish Constitution and CEDAW, inter alia by the Spanish State.	The Right not to be discriminated against	<p>During 2008 J. González de Alcalá enjoyed an income of €15.000/month without any expenses, while my income was €500/monthly with responsibility for all daily expenses of the family home. I, Quenby Wilcox, had to live in total poverty (augmenting my daily stress) and assuring that Mr. González de Alcalá had enough funds to continue abusing, stalking and threatening me.</p> <p>Also, he had an endless supply of funds with which to buy present, expensive vacations, etc. for our children, (while I barely had enough funds with which to feed our children) and thereby convince them to live with the parent who had the control of all financial assets of the family. (My children had the option to live in total poverty with their mother, or luxury with their father; clearly a discriminatory situation for the mother, favoring the father!)</p>

Actor	Action or Omission of Action	Consequence	Violated Right	Damage Caused
José Manuel Hernández Jiménez	Failure to present evidence of abuse of Javier González de Alcalá, and the negligence (abuse of power) of Belén García Martín and request a transfer of the case (1140/2007 & 1143/2007) to the Gender Violence courts.	Augmentation of the violence, threats on my life, psychological abuse without any recourse or assistance from the courts or forces of law.	1. Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment.	<p>I suffered fear for my life and the security of my children, post-traumatic stress, insomnia, head-aches, depression, etc (psychological abuse, torture.)</p> <p>Supports, sustains, and augments the abuse and threats of J. González de Alcalá.</p>
	Failure to officially respond to the divorce agreement proposed by J. González de Alcalá that clearly demonstrated his intention to defraud his wife, Quenby Wilcox (client of Mr. Hernández Jiménez.)	Failure to procure evidence and proof of the intent to defraud me of my assets, and in order to introduce that proof during the liquidation of common property assets.	Right to Access common property (funds and other assets.)	<p>Financial destitution for the failure to access my common property funds and assets. It was impossible to assume daily expenses, and <i>litis expenses</i> for my defense in Spain.</p> <p>Also the contention of Spanish lawyers and judges that women/homemakers do not have the right to access common property nor consideration for her years of labor in fixing alimony during the dissolution of marriage that relegates the homemaker to a status of slave/servitude without any rights, and as such the Spanish State guilty of human rights violations under international treaties.</p>
	Failure to initiate procedures in or to access financial records through a court order/subpoena.		The right to work, remuneration for my work, and sufficient remuneration for the satisfaction of my necessities and the necessities of my family.	<p>Failure to access common property funds in order to initiate litigation against the web designer of www.global-expats.com and/or have a new website built.</p> <p>In 2008 the principle competitor websites of www.global-expats.com (www.yelp.com) was earning revenues of \$12 million usd with investments of \$17 million usd. (In 2005 they received \$5 million usd, 2006 received \$10 million, and 2008 received \$15 million from capital venture companies.) Already in 2008 the commercial model that I was developing with www.global-expats.com was enjoying success on the Internet, as well as with investors (capital venture) and financial results. It as, and is, the most successful and</p>

				<p>profitable commercial model at that time as well as today.</p> <p>Additionally, www.global-expats.com offers a <u>comprehensive solution to the number one challenge of multinationals around the world</u>: the adaptation and integration of the expatriated family.</p> <p>The target market of Global Expats is 300 million consumers around the world with €6 trillones, and a highly elevated necessity for the information www.global-xpats.com will offer.</p> <p>THE ONE and ONLY REASON THAT I HAVE NOT BEEN ABLE TO DEVELOP THE PROJECT IS <u>MY INABILITY TO ACCESS MY COMMON PROPERTY FUNDS</u> (AND FINANCIAL RECORDS) IN THE LAS 7 YEARS <u>BECAUSE OF THE NEGLIGENCE and MALPRACTICE OF MY LAWYERS.</u></p>
	The failure to challenge <i>de facto</i> discrimination against women by family courts in Spain that authorize access to common property assets during the dissolution of the marriage.	Discrimination against women by Spanish courts and judicial decisions. Violation of the Spanish Constitution and CEDAW, inter alia by the Spanish State.	The Right not to be discriminated against.	<p>During 2008 J. González de Alcalá enjoyed an income of €15.000/month without any expenses, while my income was €500/monthly with responsibility for all daily expenses of the family home. I, Quenby Wilcox, had to live in total poverty (augmenting my daily stress) and assuring that Mr. González de Alcalá had enough funds to continue abusing, stalking and threatening me.</p> <p>Also, he had an endless supply of funds with which to buy present, expensive vacations, etc. for our children, (while I barely had enough funds with which to feed our children) and thereby convince them to live with the parent who had the control of all financial assets of the family. (My children had the option to live in total poverty with their mother, or luxury with their father; clearly a discriminatory situation for the mother, favoring the father!)</p>

Actor	Action or Omission of Action	Consequence	Violated Right	Damage Caused
Jorge Capell de Cuatrecasas, Gonçalves Pereira	Failure to present evidence of abuse of Javier González de Alcalá, and the negligence (abuse of power) of Haro, María Fernanda Guerrero Guerrero, Belén García Martín, José Manuel Hernández Jiménez and pedir una transferencia del juicio a los juzgados de Violencia of the Mujer.	Augmentation of the violence, threats on my life, psychological abuse without any recourse or assistance from the courts or forces of law.	<ol style="list-style-type: none"> 1. Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment. 	<p>I suffered fear for my life and the security of my children, post-traumatic stress, insomnia, headaches, depression, etc (psychological abuse, torture.)</p> <p>Supports, sustains, and augments the abuse and threats of J. González de Alcalá.</p>
	Failure to appeal the sentence of juicio oral no. 226-2008 all the way to the Constitutional Courts under the unconstitutionality of my retention, as well as initiate an investigation with appropriate authorities against the four police officers involved in my illegal retention and the corrupt of public officials by J. González de Alcalá and his cousin of the guardia civil of Mostoles, Victor ...(?) Lamata.	Falta de presentar evidencia del abuso de Javier González de Alcalá.	<ol style="list-style-type: none"> 1. Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment. 	<p>I suffered fear for my life and the security of my children, post-traumatic stress, insomnia, headaches, depression, etc (psychological abuse, torture.)</p> <p>Supports, sustains, and augments the abuse and threats of J. González de Alcalá.</p>

Failure to request adequate alimony so that I could continue to live in Spain (with my children) and continue creating my company, Global Expats.	Retention of common property funds in order to assume daily living expenses and funds with which to continue creating my company, www.global-expats.com	Right of access to my property (funds and other assets.)	Financial destitution for the failure to access my common property funds and assets. It was impossible to assume daily expenses, and litis expenses for my defense in Spain. Also the contention of Spanish lawyers and judges that women/homemakers do not have the right to access common property nor consideration for her years of labor in fixing alimony during the dissolution of marriage that relegates the homemaker to a status of slave/servitude without any rights, and as such the Spanish State guilty of human rights violations under international treaties.
Refusal to appeal the sentence of 1143/2007 upon my specific instructions, regarding alimony that in effect prevented me from all contact with my children, left in total poverty (vis-a-vis J. González de Alcalá income of €15.500/month), labeled me an alcoholic and drug-addict.	Obligate me to leave Spain, far from my children in order to find work, as well as flee a situation where I had less than 1% possibility of surviving. Left me in total poverty without even enough funds with which I could pay basic living expenses, and even less with which to continue creating, Global Expats.	1. Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment. 3. The right to work, remuneration for my work, and sufficient remuneration for the satisfaction of my necessities and the necessities of my family.	Failure to access common property funds in order to initiate litigation against the web designer of www.global-expats.com and/or have a new website built. In 2008 the principle competitor websites of www.global-expats.com (www.yelp.com) was earning revenues of \$12 million usd with investments of \$17 million usd. (In 2005 they received \$5 million usd, 2006 recieved \$10 million, and 2008 received \$15 million from capital venture companies.) Already in 2008 the commercial model that I was developing with www.global-expats.com was enjoying success on the Internet, as well as with investors (capital venture) and financial results. It as, and is, the most successful and profitable commercial model at that time as well as today. Additionally, www.global-expats.com offers a <u>comprehensive solution to the number one challenge of multinationals around the world:</u> the adaptation and integration of the expatriated family. The target market of Global Expats is 300 million consumers around the world with €6 trillones, and a highly elevated necessity for the information www.global-xpats.com will offer. THE ONE and ONLY REASON THAT I HAVE NOT BEEN ABLE TO DEVELOP THE PROJECT IS <u>MY INABILITY TO ACCESS MY COMMON PROPERTY FUNDS</u> (AND FINANCIAL RECORDS) IN THE LAS 7 YEARS <u>BECAUSE OF THE NEGLIGENCE and MALPRACTICE OF MY LAWYERS.</u>
Refused to initiate liquidation of common property assets as well as petition the courts so that I could access ALL of the common property financial records regarding income, investments, taxes, etc. (1991-2008.)			
The failure to challenge <i>de facto</i> discrimination against women by family courts in Spain that authorizes access to common property assets during the dissolution of the marriage.		The Right not to be discriminated against	During 2008 J. González de Alcalá enjoyed an income of €15.000/month without any expenses, while my income was €500/monthly with responsibility for all daily expenses of the family home. I, Quenby Wilcox, had to live in total poverty (augmenting my daily stress) and assuring that Mr. González de Alcalá had enough funds to continue abusing, stalking and threatening me. The negligence of all implicated lawyers in leaving me not only without protection of my life, contributing to my psychological damage, defraud me of my common property assets, as well as my work on Global Expats and millions of euros in revenues since 20desde 2007.

Actor	Action or Omission of Action	Consequence	Violated Right	Damage Caused
Alberto Fontes García Calamarte	Failure to present evidence of abuse of Javier González de Alcalá, and the negligence (abuse of power) of Gonzalo Martínez de Haro, María Fernanda Guerrero Guerrero, Belén García Martín, José Manuel Hernández Jiménez, and Jorge Capell	Augmentation of the violence, threats on my life, psychological abuse without any recourse or assistance from the courts or forces of law.	1. Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment.	I suffered fear for my life and the security of my children, post-traumatic stress, insomnia, head-aches, depression, etc (psychological abuse, torture.)
	Failure to reclaim back alimony and adequately defend me in related court cases.	Retention of common property funds in order to assume daily living expenses and funds with which to continue creating my company, www.global-expats.com	Right of access to my property (funds and other assets.)	Financial destitution for the failure to access my common property funds and assets. It was impossible to assume daily expenses, and litis expenses for my defense in Spain.
	Failure to initiate liquidation of common property assets, requesting all financial records, 1991-2008.		The right to work, remuneration for my work, and sufficient remuneration for the satisfaction of my necessities and the necessities of my family.	<p>Failure to access common property funds in order to initiate litigation against the web designer of www.global-expats.com and/or have a new website built.</p> <p>In 2009 the principle competitor website of www.global-expats.com (www.yelp.com) had revenues of \$26 million usd with investments of \$26 million usd. (In 2005 they received \$5 million usd, 2006 recieved \$10 million, and 2008 received \$15 million from capital venture companies.) Already in 2008 the commercial model that I was developing with www.global-expats.com was enjoying success on the Internet, as well as with investors (capital venture) and financial results. It as, and is, the most successful and profitable commercial model at that time as well as today.</p> <p>Additionally, www.global-expats.com offers a <u>comprehensive solution to the number one challenge of multinationals around the world</u>; the adaptation and integration of the expatriated family.</p> <p>The target market of Global Expats is 300 million consumers around the world with €6 trillones, and a highly elevated necessity for the information www.global-xpats.com will offer.</p> <p>THE ONE and ONLY REASON THAT I HAVE NOT BEEN ABLE TO DEVELOP THE PROJECT IS <u>MY INABILITY TO ACCESS MY COMMON PROPERTY FUNDS</u> (AND FINANCIAL RECORDS) IN THE LAS 7 YEARS <u>BECAUSE OF THE NEGLIGENCE and MALPRACTICE OF MY LAWYERS.</u></p>
	The failure to challenge <i>de facto</i> discrimination against women by family courts in Spain that authorize access to common property assets during the dissolution of the marriage.		The Right not to be discriminated against	The negligence of all implicated lawyers in leaving me not only without protection of my life, contributing to my psychological damage, defraud me of my common property assets, as well as my work on Global Expats and millions of euros in revenues since 20desde 2007.

Actor	Action or Omission of Action	Consequence	Violated Right	Damage Caused
Miguel Martínez López de Asiain Y Ignacio González Martínez	Failure to present evidence of abuse of Javier González de Alcalá, and the negligence (abuse of power) of Gonzalo Martínez de Haro, María Fernanda Guerrero Guerrero, Belén García Martín, José Manuel Hernández Jiménez, Jorge Capell, and Alberto Fontes	Augmentation of the violence, threats on my life, psychological abuse without any recourse or assistance from the courts or forces of law.	1. Right to effective protection from judges and the courts 2. Right to life, moral integrity, and not to be subjected to cruel, inhumane, or degrading treatment.	I suffered fear for my life and the security of my children, post-traumatic stress, insomnia, headaches, depression, etc (psychological abuse, torture.)
	Failure to reclaim back alimony and adequately defend me in related court cases.	Retention of common property funds in order to assume daily living expenses and funds with which to continue creating my company, www.global-expats.com	Right of access to my property (funds and other assets.)	Financial destitution for the failure to access my common property funds and assets. It was impossible to assume daily expenses, and litis expenses for my defense in Spain.
	Failure to initiate liquidation of common property assets, requesting all financial records, 1991-2008, failure to include liabilities against the common property in the liquidation of common property assets as per my explicit instructions regarding assets as well as additional financial claims.		The right to work, remuneration for my work, and sufficient remuneration for the satisfaction of my necessities and the necessities of my family.	<p>Failure to access common property funds in order to initiate litigation against the web designer of www.global-expats.com and/or have a new website built.</p> <p>Between 2010-2012 the principle competitor website of www.global-expats.com (www.yelp.com) had revenues of \$48 million used with investments of \$50 million used. (In 2005 they received \$5 million used, 2006 received \$10 million, and 2008 received \$15 million, in 2009 received \$26 million from capital venture companies.) Already in 2008 the commercial model that I was developing with www.global-expats.com was enjoying success on the Internet, as well as with investors (capital venture) and financial results. It is, and is, the most successful and profitable commercial model at that time as well as today.</p> <p>Additionally, www.global-expats.com offers a <u>comprehensive solution to the number one challenge of multinationals around the world:</u> the adaptation and integration of the expatriated family.</p> <p>The target market of Global Expats is 300 million consumers around the world with €6 trillones, and a highly elevated necessity for the information www.global-xpats.com will offer.</p> <p>THE ONE and ONLY REASON THAT I HAVE NOT BEEN ABLE TO DEVELOP THE PROJECT IS <u>MY INABILITY TO ACCESS MY COMMON PROPERTY FUNDS</u> (AND FINANCIAL RECORDS) IN THE LAS 7 YEARS <u>BECAUSE OF THE NEGLIGENCE and MALPRACTICE OF MY LAWYERS.</u></p>
	The failure to challenge <i>de facto</i> discrimination against women by family courts in Spain that authorize access to common property assets during the dissolution of the marriage.		The Right not to be discriminated against.	The negligence of all implicated lawyers in leaving me not only without protection of my life, contributing to my psychological damage, defraud me of my common property assets, as well as my work on Global Expats and millions of euros in revenues since 20desde 2007.



Quenby Wilcox
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The Honorable James Costos
Ambassador of the United States
American Embassy in Madrid
c/ Serrano, 75
28006 Madrid, Spain

September 30, 2014

RE: Human Rights Case *Wilcox vs. Spain* - Ending Impunity for Violence Against Women and Children

Dear Mr. Ambassador,

I am once again soliciting the assistance of the American Embassy in Madrid under art. 5 & 38 of the Convention of Consular Relations, §71.1 and §10.735–215 of CFR 22, 2715a, 71.6, 3904(1) of 22 USC, and the US government's 'obligation to protect' under *Gonzales vs. USA* (Inter-American Commission on Human Rights, 2011) and *Gonzalez vs. Spain*, 2014 CEDAW-UNⁱ, *inter alia*.

In response to my second complaint to the *Defensor del Pueblo* (dtd April 22, 2014)¹, the *Ilustre Colegio de Abogados* finally sent me their decision from a year ago (dtd Sept. 27, **2013**). This decision absolved implicated lawyers from all wrong-doing, simply because they contend that “they did nothing wrong” – **as if human rights violators and felonious criminals would willing admit to wrong-doing, particularly when their financial liability at present is \$1billion usd.**

The failure of the Colegio de Abogados de Madrid to comply with Spanish law in their “investigation” into my allegations, combined with their audacity in informing me of their decision a year later, constitutes gross, criminal negligence and malpractice, to say the least. Their actions, and omission of actions, are in violation of arts. 404, 408, 412, 450, 451, 510, 511 and 512 of the Spanish penal code; arts. 1, 7, 9, 10, 13, 14, 15, 17, 18, 19, 20, 24, 27, 39 and 40 of the Spanish Constitution; and arts. 2, 3, 4, 6, 9, 10, 11, 13, 14, and 15 of the Equality Act.

The fact that the American Embassy in Madrid has chosen to remain silent to the repeated and flagrant violation of my and my children's rights by Spanish courts, and by Spanish authorities makes them accessory to these crimes, further supporting my contention that these are not only human rights violations, but fulfill the criteria of crimes against humanityⁱⁱ

¹ Posted on http://warondomesticterrorism.com/category/defensor_del_pueblo_4-14_english/

Please find enclosed a copy of my latest appeal to the Colegio de Abogados de Madrid, requesting that they comply with Spanish law, launch a full investigation into my allegations, and hold responsible lawyers accountable to the letter of the law – as well as provide me with appropriate compensation for damages produced.

At this point, as I have continually communicated to everyone, I am willing to accept a settlement that would allow me to restore www.global-xpats.com to the competitive position it would enjoy today, if not for the negligence of implicated lawyers (see www.yelp.com and www.tripadvisor.com), and I believe it would be in the best interest of all parties to do so.

However, if Spanish authorities continue in their refusal to hold responsible parties accountable, I will be compelled to file a complaint with the international courts, requesting full and total financial damages incurred by me personally and to my company Global Expats (currently est. at \$1-3 billion usd) in the past 7-8 years.

Sincerely,



Quenby Wilcox

Founder – Global Expats

Founder – Safe Child International

ⁱ *Gonzalez vs. España* – CEDAW-UN



women's  worldwide Estrategias para la Justicia de Género
2001-2011 Estrategias for Gender Justice

SALA DE PRENSA



El País • España, agosto 08 de 2014
Estereotipos



La ONU ha condenado a España por negligencia en el caso de la muerte de Andrea, la hija de Ángela González, que fue asesinada por su padre durante uno de los permisos establecidos por el juez tras la separación de la pareja. Esto muestra que en la lucha contra la violencia de género todavía hay muchos prejuicios que remover. El dictamen del organismo es un varapalo para un país que, desde la ley contra la violencia machista de 2004, ha puesto en el punto de mira la lacra de los malos tratos que los hombres ejercen sobre sus parejas o exparejas. Aunque el caso, como señaló la directora del Instituto de la Mujer, Carmen Plaza, es anterior a la ley, las cifras recientes (cuatro muertes en los últimos cinco días) indican que aún queda mucho por hacer.

Ángela González y los servicios sociales habían desaconsejado que el padre se viera a solas con su hija. Pero el juez desoyó esas apreciaciones. En su decisión de concederle un régimen más amplio de visitas a un hombre que había sido denunciado más de 50 veces por maltratar y amenazar a su pareja primaron estereotipos —como dice el exdelegado del Gobierno para la Violencia de Género, Miguel Lorente— que hay que erradicar. El primero es que un maltratador puede ser un buen padre, y que para un niño es mejor mantener el contacto con un progenitor violento que estar apartado de él. Todavía no ha calado en la sociedad en general, y en la judicatura en particular, que un hombre que agrede a la madre de su hijo tiene un problema consigo mismo por resolver. Y que hay que tutelar su relación con alguien tan vulnerable como un niño mientras no consiga solucionarlo. La creciente preocupación por que los niños pudieran convertirse también en víctimas en los casos de violencia de género debería traducirse en medidas concretas de protección. Esto va en contra de lo que sucede actualmente, cuando solo el 3% de las sentencias por malos tratos incluyen la suspensión del régimen de visitas.

El segundo estereotipo es recurrente desde que se aprobó la ley contra la violencia machista: que las mujeres abusan de su condición de víctimas para obtener beneficios en los procesos de divorcio. Para desmentirlo, la Fiscalía General del Estado cifra en menos del 0,01% las denuncias falsas por malos tratos.

Erradicar esos dos estereotipos sería un primer paso importante para proteger a los niños involucrados en situaciones tan dramáticas como que un padre pegue —o mate— a una madre.

http://www.womenslinkworldwide.org/wlw/new.php?modo=detalle_prensa&dc=462#

32

ii **ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT**

Preamble

Mindful that during this century millions of children, women and men have been victims of unimaginable atrocities that deeply shock the conscience of humanity... Affirming that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation,

Determined to put an end to impunity for the perpetrators of these crimes and thus to contribute to the prevention of such crimes,

Recalling that it is the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes,

Article 7: Crimes against humanity

1. For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e)) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- (f) Torture;
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- (i) Enforced disappearance of persons;
- (j) The crime of apartheid;
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

2. For the purpose of paragraph 1:

- (a) "Attack directed against any civilian population" means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack;
- (b) "Extermination" includes the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population;
- (c) "Enslavement" means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children;
- (d) "Deportation or forcible transfer of population" means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law;
- (e) "Torture" means the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions;
- (f) "Forced pregnancy" means the unlawful confinement of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law. This definition shall not in any way be interpreted as affecting national laws relating to pregnancy;
- (g) "Persecution" means the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity;
- (h) "The crime of apartheid" means inhumane acts of a character similar to those referred to in paragraph 1, committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime;
- (i) "Enforced disappearance of persons" means the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.

3. For the purpose of this Statute, it is understood that the term "gender" refers to the two sexes, male and female, within the context of society. The term "gender" does not indicate any meaning different from the above.

Quenby Wilcox
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Patrick F Kennedy
Under Secretary of Management
US Department of State
2201 C St NW
Washington, DC 20520

May 14, 2014

RE: American Victims of Domestic Violence Living Abroad & the Obligation of the US Government to Protect Under International Law

Dear Under Secretary Kennedy,

I am once again contacting you in regards to my ongoing case against the Spanish government for human rights violations, which due to Spanish regulatory agencies systematic and extensive refusal to investigate allegations of the **cover-up for human rights violations** by judicial actors in Spanish judicial proceedings (as documented by Amnesty International & Save the Children, inter alia) elevates these crimes to **crimes against humanity** as defined by the art. 7 of the Roma Statute of the International Criminal Courts (art. 7–“*murder, rape, torture, enslavement, imprisonment, persecution of a group, or other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health... when committed as part of a **widespread** or **systematic** attack directed against any **civilian** population, with knowledge of the attack*”).

The continual refusal of the American Consulate in Madrid & US Department of State in Washington, DC to comply with §71.1 and §10.735–215 of CFR 22, 2715a, 71.6, 3904(1) of 22 USC, 7 FAM (1700's & 1900's), and utilize their prerogatives under the *Convention of Consular Relations*, *Universal Declaration of Human Rights*, *International Covenant on Civil and Political Rights*, and *Declaration of Basic Principles of Justice for Victims of Crime & Abuse of Power*, inter alia in order to fulfill their ‘obligation to protect’ Americans living abroad, victims of domestic violence, legal abuse and violation of rights within Spanish courts **renders them complicit to the human rights violations of the Spanish government under their omission of action.**

The continual refusal of the US Department of State to provide assistance under the aforementioned, claiming that they may not comply with my requests for assistance due to their inability to “intervene in private legal matters of US citizens in foreign courts” is erroneous under the following:

- Domestic violence and the failure of a government to protect is a human rights violation not a “private legal matter” – Inter-American Commission of Human Rights, *Gonzales vs. USA*, 2011
- The double standard of US Department of State officials, and *de facto* discrimination against women, which claims that domestic violence, the failure of a State to protect, and illegal acts by judicial actors in relation to divorce, division of assets and custodial decisions of foreign nationals are “private legal matters”, but women & children who flee a host country in fear of their lives, sexual abuse, physical violence, and/or psychological torture are criminal acts for which women may, and are, increasingly incarcerated with the active assistance of State Department & US government officials in the capture of said victims

The refusal of State Department civil servants and officials to implement federal guidelines and directives, as well as international law & State Department rhetoric, into their actions parallels and mimics the failure of legal professions and judicial actors to integrate domestic violence & anti-discrimination against women legislation and jurisprudence into their case management and argumentation of individual case during divorce proceedings & related litigation. **The crux of the problem in the ‘failure to protect’ is the refusal of lawyers & judges to utilize and/or implement laws and legal principles that defend and protect the rights of women – while applying favoritism for men in judicial decisions & argumentations. This is why at present the concentration of governments should, and must be, transparency & accountability of judicial actors who are breaking the law.**

As stated by Michelle Bachelet, Executive Director of UN Women state “*The shortcomings [in failing to protect victims of domestic violence] are not in the vision, voices and the voluminous efforts undertaken by determined women around the world. No, the shortcomings lie elsewhere—in the lack of political prioritization... Now is the time for governments to translate international promises into concrete national action....*”

In light of the afore mentioned, I am hereby, once again requesting that the **US Department of State translate their promises into concrete action**, by assuring that the American Embassy in Madrid utilize its prerogatives under the *Convention of Consular Relations*, *Universal Declaration of Human Rights*, *International Covenant on Civil and Political Rights*, and *Declaration of Basic Principles of Justice for Victims of Crime & Abuse of Power* in officially requesting that appropriate Spanish authorities investigate my allegations against implicated judicial actors whose actions and/or omissions of actions resulted in the violation of my and/or my children’s rights, and whose actions, and/or omissions of actions, constitute penal offenses under Spanish law.

I hope that the US Department of State will reconsider, and rescind, its policy of non-compliance with §71.1 and §10.735–215 of CFR 22, 2715a, 71.6, 3904(1) of 22 USC, 7 FAM (1700’s & 1900’s), and the *Convention of Consular Relations*, *inter alia* in defending the rights of American victims of domestic abuse living abroad, and whose rights have been violated by host countries judicial systems, in violation of international law, as well as the host’s countries national law.

If American Consulates around the world would systematically comply with CFR 22, 22 USC, and 7 FAM, and utilize their prerogatives under the *Convention of Consular Relations*, *inter alia*, judicial actors within receiving states would not so overtly and flagrantly violate the rights of American women & children, under the fear and knowledge that American Consulates would assure that these actors are held accountable for their illegal actions, and/or omissions of actions. In this way the American government, and US Department of State, would be able to:

- fulfill their ‘obligation to protect’ under international law
- assure transparency & accountability in judicial systems around the world
- promote democracy & democratic principles around the world
- effectively combat violence & discrimination against women & children around the world,

instead of the present situation, in which the US government is complicit to human rights violations of American women & children by foreign government.

Please find enclosed a copy of my letters to Ambassador Costos in Madrid and my official complaint to the *Spanish Defensor del Pueblo*.

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox
Founder – Global Expats
Founder – Safe Child International

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Jim Pettit
Deputy Assistant Secretary of State for Overseas Citizens Services
US Department of State
2201 C St NW
Washington, DC 20520

May 14, 2014

RE: American Victims of Domestic Violence Living Abroad & the Obligation of the US Government to Protect Under International Law

Dear Mr. Pettit,

I am once again contacting you regards to my ongoing case against the Spanish government for human rights violations, which due to Spanish regulatory agencies systematic and extensive refusal to investigate allegations of the **cover-up for human rights violations** by judicial actors in Spanish judicial proceedings (as documented by Amnesty International & Save the Children, inter alia) elevates these crimes to **crimes against humanity** as defined by the art. 7 of the Roma Statute of the International Criminal Courts (art. 7–“*murder, rape, torture, enslavement, imprisonment, persecution of a group, or other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health... when committed as part of a **widespread** or **systematic** attack directed against any **civilian** population, with knowledge of the attack*”).

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As stated by Michelle Bachelet, Executive Director of UN Women state “*The shortcomings [in failing to protect victims of domestic violence] are not in the vision, voices and the voluminous efforts undertaken by determined women around the world. No, the shortcomings lie elsewhere—in the lack of political prioritization... Now is the time for governments to translate international promises into concrete national action....*”

In light of the afore mentioned, I am hereby, once again requesting that the **US Department of State translate their promises into concrete action**, by assuring that the American Embassy in Madrid utilize its prerogatives under the *Convention of Consular Relations*, *Universal Declaration of Human Rights*, *International Covenant on Civil and Political Rights*, and *Declaration of Basic Principles of Justice for Victims of Crime & Abuse of Power* in officially requesting that appropriate Spanish authorities investigate my allegations against implicated judicial actors whose actions and/or omissions of actions resulted in the violation of my and/or my children’s rights, and whose actions, and/or omissions of actions, constitute penal offenses under Spanish law.

I hope that the US Department of State will reconsider, and rescind, its policy of non-compliance with §71.1 and §10.735–215 of CFR 22, 2715a, 71.6, 3904(1) of 22 USC, 7 FAM (1700’s & 1900’s), and the *Convention of Consular Relations*, *inter alia* in defending the rights of American victims of domestic abuse living abroad, and whose rights have been violated by host countries judicial systems, in violation of international law, as well as the host’s countries national law.

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Please find enclosed a copy of my letters to Ambassador Costos in Madrid and official complaint to the *Spanish Defensor del Pueblo*.

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox
Founder – Global Expats
Founder – Safe Child International

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Secretary Hillary Rodham Clinton
The Clinton Foundation
1271 Avenue of the Americas, 42nd Floor
New York, NY 10020

May 11, 2014

RE: Human Rights are Women's Rights and Women's Rights are Human Rights – Rhetoric to Reality

Dear Secretary Clinton,

In 1995, during the United Nations' Fourth World Conference on Women in Beijing, you stated that *“human rights are women's rights and women's rights are human rights once and for all,”* launching you in the public-eye as a champion for women's rights around the world.

Unfortunately, even the most vociferous and well-intentioned rhetoric of politicians does not automatically translate into reality for their constituency, as my experiences with the Department of State has demonstrated. Publically, the Department of State espouses a commitment to advancing human rights and ‘empowering’ women. However, when faced with the reality of American victims of domestic violence living abroad their policies are discriminatory, and support and empower abusers. (See enclosed Family Courts in Crisis Oct. '13 newsletter –The Emperor's New Clothes).

As Michelle Bachelet, stated in her Closing Remarks at the Stakeholders' Forum on Preventing and eliminating violence against women, *“The shortcomings [in failing to protect victims] are not in the vision, voices and the voluminous efforts undertaken by determined women around the world. No, the shortcomings lie elsewhere—in the lack of political prioritization...and the lack of implementation [and] accountability... Now is the time for governments to translate international promises into concrete national action.”*

For thousands of years societies have been based on the oppression of women, a dynamic maintained through domestic abuse and violence. Rhetoric alone will not change this situation, and the reality for the untold millions of women and children around the world who are victimized on a daily basis, with family members, neighbors, and authorities claiming that it is a ‘private matter’ and the ‘patriarchal’ right of the husband and father. This has been the rhetoric and stance of the State Department in its communications with me during the past 7 years.

As stated by the United Nations in *Ending Impunity for Violence against Women and Girls* (2007) *“The acceptance of violence against women and girls — either explicitly or tacitly — creates a culture of impunity, which perpetuates that violence. When the State fails to hold perpetrators accountable, it contributes to a culture of impunity in which justice is denied and the roots of gender inequality grow deeper. Abuses continue, violence against women and girls is normalized and accepted, and inequality is reinforced, creating a vicious cycle.”*

Please find enclosed my latest correspondence with the American Embassy in Madrid. Previous correspondence to the State Department & American Embassy in Madrid (2007-2014) are posted on <http://worldpulse.com/node/64031>

& <http://worldpulse.com/node/73335>, and document the continual refusal of State Department officials to comply with 7FAM, CFR 22, USC 22, the Convention of Consular Relations, and international law in defending the rights and interests of American women & children living abroad.

Additionally of interest, please find the following postings on the Internet:

- Submission to the UN *Commission on the Status of Women* (2012) - <http://worldpulse.com/node/55730>
- *Family Courts in Crisis* newsletters (2013-2014) - <http://worldpulse.com/node/71182>
- Submission to the *Instituto de Mujer*, Spain (2012) - <http://worldpulse.com/node/50602>
- Submission to the *Consejo General del Poder Judicial* and *Defensor del Pueblo*, Spain (2012) - <http://worldpulse.com/node/52011>
- Submission to the *Colegio de Abogados de Madrid*, Spain (2013) - <http://worldpulse.com/node/80536>
- Appeal to the decision of the *Colegio de Abogados de Madrid*, Preliminar 859/13 (2013) - <http://worldpulse.com/node/80671>
- Letter to Human Rights organizations in Europe & North America (lobbying for victims rights) <http://worldpulse.com/node/84305>
- Letter to Women's Rights organization in Europe & North America (lobbying for women's rights) <http://worldpulse.com/node/84362>
- Letter to US Congressional Member – Americans Abroad Caucus, and others (lobbying for the rights of American victims of domestic violence living abroad) - <http://worldpulse.com/node/64298>
- Reports “Abuses of Power in Our Court Systems”, “Failure of Family Courts to Protect Child Victims of Sexual Abuse” & “Domestic Abuse as Human Rights Violations – An Intersectional Perspective” prepared by Quenby Wilcox <http://worldpulse.com/node/36851>
- Time Line *Wilcox vs. Spain* - <http://worldpulse.com/node/67522>
- Information about Global Expats | www.global-xpats.com - <http://worldpulse.com/node/44543>
- Blogs on Huffington Post, Womenalia.com & Patch.com (www.huffingtonpost.com/quenby-wilcox/ & www.womenalia.com/us/blogs/having-it-all)

As an advocate for women's rights, I hope you might encourage the American Embassy in Madrid to comply with my request that they officially request that the appropriate Spanish authorities examine my case, allegations, and evidence presented to the Spanish authorities enumerated above, and as provided for under Spanish law.

Additionally, I hope you might encourage appropriate authorities within the US Department of State to take positive action in the implementation of 7FAM guidelines (1700s & 1900s) in US Consulates across the globe. In order to assure that the rights of victims living abroad are protected and respected in foreign judicial proceeding, (whereas the violation of their rights and cover-up for evidence of domestic violence is widespread & extensive in judicial systems around the world), **it is imperative that US Consulates implement these guidelines in concurrence with US federal law.**

I believe it would be in the best interest of all parties that these issues be resolved in an expeditious manner, thereby avoiding the necessity for protracted, high-profile litigation within the international courts in the future, and I hope that you might assist me to this end.

Thank you in advance for your time and consideration. For more information about me and my work, please consult www.linkedin.com/pub/dir/Quenby/Wilcox. If you should have any questions, I may be contacted at my email address, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox

Founder – Global Expats

Founder – Safe Child International

Quenby Wilcox
Founder - Global Expats
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The Honorable James Costos
Ambassador of the United States
American Embassy in Madrid
c/ Serrano, 75
28006 Madrid, Spain

April 30, 2014

RE: Human Rights Case *Wilcox vs. Spain* - Violations of Rights & Judicial Corruption Elevated to Crimes Against Humanity by the Cover-up of Human Rights Violations

Dear Mr. Ambassador,

I am once again soliciting the assistance of the American Embassy in Madrid under art. 5 & 38 of the Convention of Consular Relations, §71.1 and §10.735–215 of CFR 22, 2715a, 71.6, 3904(1) of 22 USC, and the US government's 'obligation to protect' under *Gonzales vs. USA* (Inter-American Commission on Human Rights, 2011), *inter alia*.

Please find enclosed my official complaint to the *Defensor del Pueblo*, which is my last attempt to "exhaust all domestic remedies" before presenting my case to the European Courts of Human Rights against the Spanish government for human rights violations, and crimes against humanity as defined by art. 7 of the Roma Statute of the International Criminal Courts (art. 7—"murder, rape, torture, enslavement, imprisonment, persecution of a group, or other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health... when committed as part of a **widespread or systematic attack** directed against any **civilian population, with knowledge of the attack**").

The refusal of the American Consulate in Madrid to utilize their prerogative afforded by the *Convention of Consular Relations*, *Universal Declaration of Human Rights*, *International Covenant on Civil and Political Rights*, and *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, *inter alia* to fulfill their 'obligation to protect' **renders them complicit to the human rights violations of the Spanish government under their omission of action.**

Please find enclosed *Family Courts in Crisis* (FCC) newsletter (Nov. '13 Save the Children - *Spanish Justice System Faced with Child Sex Abuse within the Family* & Jan. '14 Amnesty International – *What Specialized Justice?*), which documents the **widespread and systematic 'attack' of women and children in Spain**. These reports, as well as my case, demonstrate the widespread and systematic failure

of judicial systems to protect victims, in addition to the **refusal** of Spanish public authorities to **investigate allegations against judicial actors** for their failure to exercise due diligence in the protection of the rights of victims – fulfilling the criteria of “with knowledge of the attack.”

In order to avoid encumbering already overburdened courts with cases against the **Spanish and American governments for the failure of public authorities to exercise due diligence in the prevention of human rights violations, as well as the cover-up for said violations by their omission of actions**, I hope that the American Embassy in Madrid will officially request that the *Defensor del Pueblo* fulfill their obligation to assure that appropriate Spanish authorities exercise due diligence in their investigation of my allegations and application of Spanish and international law in their investigation of the facts and prosecution of responsible parties.

In closing I wish to call attention to the US Department of State’s extensive assistance (enumerated below) to ‘left-behind parents’ in tracking down and persecuting women and children fleeing domestic abuse (68% of international child abduction by women), as well as influencing the judicial process in Hague Convention cases; resulting in favorable treatment for abusers and *de facto* discrimination against women.

The extensive assistance provided to abusers/’left behind parents’ by State Department officials, in contrast to the absolute refusal of Consular Affairs agents to comply with 7 FAM guidelines in protecting victims’ rights in host countries (thereby eliminating the necessity for women and children ‘to flee’ in the first place) is contradictory and hypocritical. This **clearly constitutes *de facto* discrimination against women, children, and victims of domestic abuse**, and further elevates the tort of the US Department of State and US government under US federal law as well as international law.

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox

Founder – Global Expats

Founder – Safe Child International

cc: Under Secretary of Management, Patrick F Kennedy, US Department of State
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
Congressman Steny Hoyer
Congressional representatives, members of the American’s Abroad Caucus
Former Secretary of State Hillary Clinton

Litigating International Child Abduction Cases Under the Hague Convention

Kilpatrick Townsend, Attorney at Law
& National Center for Missing & Exploited Children

http://travel.state.gov/content/childabduction/english/to/AttorneyGuideForIncomingCases.html?cq_ck=1386104912295

*...the State Department receives a Hague Application, a case officer is assigned to help the left-behind parent with locating the child. The **State Department collaborates with various entities and agencies** to help with the process, including Non-Governmental Organizations (“NGOs”) such as **International Social Service (“ISS”), the Federal Bureau of Investigation, the International Criminal Police Organization (“INTERPOL”),** and individual states’ missing-child clearinghouses. The State Department also works with The National Center for Missing and Exploited Children to **create media awareness that can be highly useful** in locating abducted children... locating the child in the United States by using school, employment, financial, social security, police, postal, internet or other public records....*

*...the **State Department’s location of the abducting parent and missing child** and the retention of counsel by the left-behind parent. The **abducting parent also may move frequently due to a lack of resources, have transitory living accommodations with relatives and friends, have difficulty enrolling children in school, have illegal immigration status, and have a general fear of detection by law enforcement....**Private investigators may be a valuable resource as well. Larger law firms frequently have private investigators with law enforcement experience in their employ or under contract....**Local law enforcement officers also can be a great asset to such an investigation, as they have in-depth knowledge of the community, the power of the badge, subpoena power to obtain public records, and ultimately wield arrest authority....***

*Once **the State Department locates the child**, if the left-behind parent requests pro bono legal representation based on the parent’s personal assessment of eligibility under the Legal Services Corporation Poverty Guidelines, the **State Department contacts attorneys** in the International Child Abduction Attorney Network (“ICAAAN”)...the **State Department will provide additional information** such as the Application and custody documents....the **State Department will provide the foreign language Application** and the translated Application to counsel...the **State Department provides counsel with the entire file**...NCMEC also **provides legal technical assistance for attorneys at any point during the litigation.** This assistance includes discussing legal questions, referring attorneys to ICAAN mentors, discussing alternate legal strategies, arranging logistical support, providing third party referrals for counseling and other support, and troubleshooting...*

*...the **State Department sends outreach letters to attorneys** who have agreed to consider representation....the **left-behind parent is walked through the legal process** in the United States and provided with a list of potential attorneys who have agreed to speak to him or her and the attorneys’ contact information. The first communication with the left-behind parent will be the opportunity to establish an attorney-client relationship. If the client does not speak English, it is essential to have a translator present during that initial phone conversation between counsel and the prospective client. The translator can be anyone who is fluent in both languages and does not have to be certified or sanctioned by the court. **The State Department also will aid in coordinating the initial call through the Language Line**, a telephonic interpretation service....*

***Inquire about criminal records, domestic violence,** immigration issues, and other legal issues that may be raised. Request any documents that may be relevant to these issues. **Counsel should take an opportunity during the follow-up call to prepare the client for the potentially explosive allegations that the abductor may make at trial.** Although these issues may not be relevant to a Hague Convention case, the abductor may allege them nonetheless....*

*Efforts to expedite the visa process for the left-behind parent once a hearing is scheduled may be necessary. **Consulates and Embassies become key players** and can provide significant help to resolve these issues in a prompt manner....If the petition will be filed in a jurisdiction with a single judge, it is helpful to contact chambers before filing to discuss the logistics. In a jurisdiction with more than one judge, contact chambers*

after the judge is assigned. Advise the law clerk about the nature of Hague Convention cases and the referral from **the State Department, if applicable. Offer collaboration**, as these are unusual cases. Consider e-mailing drafts of pleadings to a receptive clerk. Inform the court of judges in the same or nearby jurisdictions who previously have presided over Hague Convention cases. Consider filing all papers under seal to protect the safety of the child until the case is resolved.... Address the need for a hearing by phone or video conference if the client is not able to travel to the initial hearing. This is not ideal, but it should be sought as a last resort....

The State Department will send a letter to the judge (with a copy to all counsel) that explains the State Department's role as U.S. Central Authority for the Hague Convention and refers to key provisions of the Hague Petition and documents regarding the history of the Hague Convention (i.e., the Perez-Vera Report). The judge's letter also clarifies that the letter should not be construed by the court as constituting an opinion of the United States or the Department of State regarding the merits of the case....**The State Department will provide the names of other judges in the same or nearby jurisdictions** who have presided over Hague Convention cases and who would be willing to provide basic information to judges regarding the Hague Convention process....

...whether the court will be asked to take custody of the child when the abducting parent is served (or before). Expect that **a judge will be uncomfortable with ordering law enforcement to take custody of the child, and that counsel will need to make a compelling case to persuade a judge** to do so.... Counsel should fashion the request in a manner that will be familiar to the court, such as **having a United States Marshal seize the child and bring the child before the judge....taking possession of the child and placing him or her in the custody of social services is also an alternative....**If the court is persuaded to order recovery of the child collaboration with the **United States Marshals Service and/or law enforcement is essential**. There should be an order specifically directing the United States Marshals or other appropriate law enforcement agency to pick up the child. Suggest that the **Marshals be present in court or chambers** to discuss this procedure....

After the child is taken into custody, the Marshals generally are instructed to **bring the child and the client back to the courthouse for an appearance before a federal judge....**Accommodations must be sought on a case-by-case basis Consolidators often provide airfares on major airlines at vastly-reduced prices. **Seek donations of frequent flyer miles from colleagues**, which have the added advantage of flexibility....In pro bono cases, law firms frequently bear the cost of the client's travel.... Choose a hotel that offers a free breakfast ... **Collect donations of snacks from colleagues...that a foreign country shall be treated as if it were a state of the United States for all general and jurisdictional purposes...**

In Abbott v. Abbott, the United States Supreme Court held that the **ne exeat right is a custodial right**, and therefore, the remedy of return of the child to his or her country of habitual residence is available to the left-behind parent...**As a matter of law, the child's best interests are not at issue....**

The person opposing the child's return must show that the risk to the child is grave, not merely serious... the State Department made clear its view that the best interests of the child... are not to influence a court's determination... the reality that abductors are most commonly women who act as primary caretakers for the children. In alleging grave risk to the children, **litigants are increasingly raising the issue of domestic abuse**, in addition to emphasizing the decades of scholarship addressing the harmful effects of domestic violence on children in the home....

It often is recommended to rush clients [left behind parents] and children to the airport and through security once a return order is entered because lingering presents a danger that an appeal will be filed and a stay will be entered....

The Hague Convention and Domestic Abuse

In 1980, an international treaty was designed to return children who had been abducted by a parent who moved to another country... the people drafting the treaty thought the typical abductor would be a noncustodial father skipping town with the kids, leaving mom with little recourse to try to get her children back.

...68% of the abducting parents in cases under this treaty are mothers — and that many of them are fleeing abusive spouses... the treaty is often used against women seeking safety for themselves — and for their children — from violent husbands.

Protecting Children: Rethinking the Hague Convention by Mirela Iverac

“The Hague Convention has no state exception for domestic violence.” “The fact that returned children are usually given to fathers in the other country means that these decisions act as de facto custody rulings.”

The Judges’ Newsletter – La lettra des juges

In press, Spring 2011 Publication of the Hague Conference on International Law

Implication of the Hague Convention in Cases of Domestic Abuse

“Women can either choose to save themselves and leave their children behind if they need to escape the violence, or stay in the other country and risk trauma, injury and potentially death at the hands of their abuser in order to seek custody of their children back in the country of habitual residence.”

“As U.S. Supreme Court Justice Stephen Breyer asked in the recent Abbott v. Abbott hearing: “She has to choose between her life and her child -- is that what this convention is aimed at?”.”

Hague Convention Domestic Violence Project

Battered Women’s Flight Across National Borders: Two Paradoxical Issues.

- Women are traditionally castigated for staying with battering husbands... Why does she stay?” For mothers who finally flee the batterer, but end up crossing an international border to do so, the ironic focus becomes the exact opposite: “Why did she leave?”*
- Under the current policies and procedures emanating from the Hague Convention, the law indicates that women should stay in the country where they are residing with their children, even in the face of serious abuse, under the assumption that services and resources are available to assist her in the other country (services which were not available to the majority of women in this study).*
- Abusers can also use other custody laws such as Uniform Child Custody Jurisdiction and Enforcement Act to gain custody of the children.*
- Fathers in the other country often used the fact that children were returned by a U.S. judge as proof that the mother was an unfit parent who had acted illegally in fleeing with the children.*

The Judges’ Newsletter – La lettra des juges

In press, Spring 2011 Publication of the Hague Conference on International Law

Mother Involved in a Hague Convention Case

“Basically there’s three choices in these situations...1. You stay in those conditions and you survive as long as you can. 2. You walk away from your child and you walk away. 3. You run, with your child. So there’s three. That’s it.”

Multiple perspectives on battered mothers and their children fleeing to the U.S. for safety: The Hague Domestic Violence Project

Quenby Wilcox
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The Honorable James Costos
Ambassador of the United States
American Embassy in Madrid
c/ Serrano, 75
28006 Madrid, Spain

February 3, 2014

RE: Human Rights Case *Wilcox vs. Spain* - Violations of Rights & Judicial Corruption

Dear Mr. Ambassador,

I am once again contacting you regarding the American Embassy in Madrid's non-compliance with the Vienna Convention of Consular Relations and pertinent Spanish, American & international laws. All previous correspondence with the American Embassy & Consulate in Madrid in the past 7 years is posted on <http://worldpulse.com/node/73335> & <http://worldpulse.com/node/64031>).

For your convenience please find enclosed a diagram regarding the applicable laws & jurisdictions in my case, as well as my recent correspondence to women's rights organizations in Spain regarding the refusal of the *Colegio de Abogados de Madrid* to diligently examine my complaint against implicated lawyers, going so far as to officially & ridiculously contend that it is the *"right of lawyers in Spain to violate the right of clients under the principle of judicial independence."*

As in my last letter to the American Embassy, dated October 24, 2013, to which I have no response to date, I am hereby, under **art. 5 & 38 of the Convention of Consular Relations and §71.1 and §10.735–215 of CFR 22, *inter alia* petitioning the American Embassy and Consulate in Madrid** to rescind its policy of non-compliance with the aforementioned and at this time contact the *Ilustre Colegio de Abogados de Madrid* on my behalf, requesting that they diligently fulfill their obligations as provided for under 2.1 and 2.2 of Decreto 245/2000 (and article 451 of the Spanish penal code,) notifying the *Ministerio Fiscal* regarding my allegations of criminal infractions by the following legal counsel:

- Gonzalo Martínez de Haro of Vinader, Carlos y Asociados (*procuradora* Juan Bosco Hornedo Muguero)
- Maria Fernanda Guerrero Guerrero
- Belén García Martín (*procuradora* María Pilar Lantero)
- Jose Manuel Hernández Jiménez (*abogado de oficio*)
- Jorge Capell de Cuatrecasas, Gonçalves Pereira (*procuradora* Pilar Poveda Guerra)
- Cuatrecasas, Gonçalves Pereira
- Alberto Fontes García Calamarte (*procuradora* Rafael Gamarra Megias)
- Miguel Martínez López de Asiain y Ignacio González Martínez (*procuradora* Rafael Gamarra Megias)

The failure of government officials to duly investigate my allegations and hold responsible parties accountable for their actions, **contrary to deterring me from pursuing all legal channels at my disposal, including international courts, is re-enforcing my resolve to do so, as well as strengthening my case against them.** In the interest of ecology and preservation of our forests, I am not resending a copy of my original complaint, the response of the Colegio de Abogados de Madrid (*Preliminar 859/13*), nor my appeal, which are posted in downloadable form on <http://worldpulse.com/node/80536> and <http://worldpulse.com/node/80671>.

In all of my dealing with US Department of State officials in Madrid & Washington in the past years, their actions, and omissions of actions, have reflected unfamiliarity with FAM 7 & CFR 22 guidelines as well as American, Spanish, and international law (VCCR included). The inability of implicated parties to read applicable laws and use cognitive reasoning in their application is explained by Robert Kohls in *Survival for Overseas Living*; “Stereotypes ... are one way people everywhere deal with things which are too complex to handle or about which they have inadequate information. [Nancy Adler](#) has said that due to the multiplicity of impulses that our brain is receiving as our sensory receptors are being flooded with stimuli, we have no choice but to ignore most of them in order to pay attention only to those few that we have learned to consider as most vital... another truism about stereotypes is that once formed in people’s minds, they outlive the partial truth that created them in the first place ...”

As someone who has had to deal with and combat discrimination & perhaps hate crimes, and reportedly someone who is committed “to community, philanthropy, human rights, and democracy...and a true citizen of the world” (Chad Griffin, President of Human Rights Campaign), I hope at this time you will **instruct Embassy officials in Madrid to examine ALL of my past correspondences, and the facts of my case using cognitive logic & reasoning and due diligence.** The application of discriminatory beliefs & biases, with State Department officials **using well-rehearsed propaganda rather than current legal norms & jurisprudence,** is exactly what judges, lawyers, & court psico-social teams are doing in their own actuation. It is also reason that victims of domestic violence are re-victimized by family courts around the world.

As stated by Michelle Bachelet, former Under-Secretary-General and Executive Director of UN Women “*The shortcomings [in failing to protect victims of domestic violence] are not in the vision, voices and the voluminous efforts undertaken by determined women around the world. No, the shortcomings lie elsewhere—in the lack of political prioritization... Now is the time for governments to translate international promises into concrete national action....*”

Please find enclosed *Family Courts in Crisis* newsletters (listed below and posted in downloadable format on <http://worldpulse.com/node/71182>), which clearly documents the failure of the Spanish government to “translate international promises into concrete action” showing a systematic, extensive, endemic, & acquiescence of the Spanish government in their re-victimization of victims of domestic violence, rather than the existence of a convoluted, imaginary, ‘conspiratorial’ situation as indicated by Consular officials in my interviews with them.

- *Family Courts in Crisis - Judicial Corruption, Human Rights Violations & Organized Crime - Connecting the Dots*, Feb. 2014
- *Family Courts in Crisis - Amnesty International - What Specialized Justice?*, Jan. 2014
- *Family Courts in Crisis - United Nations, Secretary General - Violence Against Women as a Human Rights Violation*, Dec. 2013
- *Family Courts in Crisis - Spanish Justice System Faced with Child Sex Abuse within the Family - Save the Children Spain*, Nov. 2013

The fact that the *Defensor del Pueblo*, *Consejo General del Poder Judicial*, *Colegio de Abogados de Madrid*, and *Instituto de la Mujer*, have continually:

- Refused to comply with recommendations made by the United Nations, Amnesty International, Save the Children, inter alia
- Refused to apply Spanish Constitution, civil & penal code, and laws & international law in the examination of the negligence & malpractice of judicial actors
- Covered-up malpractice & negligence of judicial actors by their omission of actions

aggravates the criminal & civil (and financial) liability of the Spanish government under international law. Table 1, included in enclosed letter, enumerates the various violations & penal infraction of judicial actors.

Also, further please note that the decision of the *Inter-American Commission on Human Rights*, in *Gonzales vs. USA*, 2011 (recognizing that the omission of actions by a government to exercise due diligence in the protection of victims of domestic violence is a human rights violations) elevates the infractions of Spanish officials & government to **crimes against humanity¹**, **further strengthening my case against the Spanish government under international law.**

I hope the American Embassy in Madrid at this time will take the lead in reversing discriminatory policies & actions of the **US Department of State, which by omission of action makes them accessory to human rights violations against American citizens living abroad**, by assuring that Spanish regulatory agencies thoroughly examine my allegations and take appropriate action against responsible parties. **THIS REQUEST FALLS UNDER PUBLIC LAW, NOT PRIVATE LAW AS STATE DEPARTMENT OFFICIALS HAVE REPEATEDLY & BLINDLY CONTENDED.**

Assuring that victims of domestic violence are protected, rather than re-victimized by judicial systems is not as complicated as many contend. However, it does require a minimum of diligence and dedication to the task by public authorities, rather than the typical unfettered response of *“we do not wish to become involved, and it is his right....”* As long as this is the policy of the State Department and other public authorities, all of the rhetoric in the world, supported by large-budget propaganda campaigns, will not change the reality for victims, nor the illegality of acts, and omissions of acts of implicated judicial actors & public authorities.

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox
 Founder – Global Expats
 Founder – Safe Child International

cc: Under Secretary of Management, Patrick F Kennedy, US Department of State
 Jim Pettit, Deputy Assistant Secretary of State for Overseas Citizens Services
 Joyce Namde, European Div. Director, Ofc. of Amer. Citizen Services & Crisis Mgt., US Dept. of State
 Congressman Steny Hoyer
 Congressional representatives, members of the American's Abroad Caucus

¹ the Rome Statute of the International Criminal Court defines **“crime against humanity” as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:** (a) Murder; (c) Enslavement; (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; (f) Torture; (g) Rape, sexual slavery, or any other form of sexual violence of comparable gravity; (h) Persecution against any identifiable group or collectivity on gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court; (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.



Quenby Wilcox
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Patrick F. Kennedy
Under Secretary of State for Management
US Department of State
2201 C Street NW
Washington, DC 20520

November 5, 2013

RE: Human Rights Case *Wilcox vs. Spain* - Violations of Spanish and international law

Dear Mr. Kennedy,

I am once again contacting you regards to my ongoing case against the Spanish government for human rights violations under their obligation to protect victims of domestic violence and the principle of due diligence, as established by the Inter-American Commission on the Status of Women, *Gonzales vs. USA*, 2011, inter alia.

Please find enclosed a copy of my letter to Ambassador Costos of the American Embassy in Madrid, as well as my correspondence to Janice L. Jacobs, Assistant Secretary for Consular Affairs (with same to Jim Pettit, Deputy Assistant Secretary of State for Overseas Citizens Services and Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management.)

In the past 7 years, I have repeatedly requested assistance from the American Consulate/Embassy in Madrid as provided for under the Convention of Consular Relations, 7 FAM (1700s, 1900s, & 400s,) and CFR 22. Due to the refusal of the US Consulate to comply with US State Department guidelines and regulations, and their obligations under international law, I have repeatedly contacted State Department officials in DC. However, Consular Affairs officials in Washington have continuously, and erroneously contended that “*federal regulations generally prohibit the US State Department from intervening in the private legal matters of US citizens. The Department cannot advocate on behalf of citizens engaged in litigation in foreign courts*”

Please find attached the October edition of Family Courts in Crisis – The Emperor’s New Clothes which

- illustrates the double-standards and discriminatory nature of State Department policies towards victims of domestic abuse vs. abusers

- their refusal to recognize domestic violence as a human rights violations and their obligation to protect under international law
- their ignorance of and refusal to comply with US federal law, State Department guidelines and regulations, and international law

The only contention of State Department officials upon which I agree, and concur, is that they “*are not permitted to act as attorney or agents in fiduciary capacity.*” **However, their insistence that I have been requesting legal advice or assistance only demonstrates to what extent they have failed to even read my correspondences of the past years; failing to exhibit even the most minimum level of due diligence.**

I hope at this time the State Department will, with the highest level of diligence, review the facts of my case and my correspondences of the past 7 years (all posted on <http://worldpulse.com/user/2759/journal>.) Additionally, I hope that they will request that the American Embassy in Madrid utilize their prerogative and authority in officially requesting that Spanish authorities comply with their obligations under Spanish and international law to investigate my allegations with the highest level of diligence, holding judicial actors responsible to the letter of the law.

The obligation of a government to exercise due diligence in the prevention of human rights violations against its citizens is clearly established in *Gonzales vs USA*, 2011 inter alia. The refusal of Consular Affairs officials to fulfill this obligation in my case has repeatedly been in violation of international law. I hope at this time, and in the future, State Department officials will fulfill this obligation without further ado.

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox
 Founder – Global Expats
 Founder – Safe Child International

cc: Congressman Steny Hoyer
 Congressional members of the American’s Abroad Caucus



Quenby Wilcox
Founder - Global Expats
www.global-expats.com
quenby@global-expats.com

Jim Pettit, Deputy Assistant Secretary of State for Overseas Citizens Services
US Department of State
2201 C Street NW
Washington, DC 20520

November 5, 2013

RE: Human Rights Case *Wilcox vs. Spain* - Violations of Spanish and international law

Dear Mr. Pettit,

I am once again contacting you regards to my ongoing case against the Spanish government for human rights violations under their obligation to protect victims of domestic violence and the principle of due diligence, as established by the Inter-American Commission on the Status of Women, *Gonzales vs. USA*, 2011, inter alia.

Please find enclosed a copy of my letter to Ambassador Costos of the American Embassy in Madrid, requesting that the American Embassy and Consulate in Madrid officially contact the *Ilustre Colegio de Abogados de Madrid* protesting their failure to investigate the allegations of legal counsel between 2007 and 2012, as provided for under Spanish law.

The failure of the Colegio de Abogados fulfills their obligation under Spanish law, given the fact that:

- the systematic failure of Spanish courts to protect victims of domestic abuse is common knowledge and documented by organizations such as Amnesty International (see enclosed report *¿Que justicia especializado?, inter alia,*)
- women have been the most pervasive group to receive systematic violence and discrimination from all members of societies (and their institutions) for the past 4000+ years and across the globe

elevates these human rights violations to crimes against humanity, as defined by the Rome Statute of the International Court, inter alia. Additionally, it should be noted that under universally accepted norms of criminal law (and art. 451, 510, 511, and 512 of the Spanish penal code,) **all and any parties who knowingly cover-up, and/or fail to investigate allegations for felony crimes become accessory to these crimes; noting that under CFR 22 § 10.735–215**

State Department officials are at all times obligated to respect and follow the laws in of Receiving country, inter alia.

In regards to the Department of State's/American Consulates failure to respect national and international law in the protection of victims of domestic abuse, please find attached Sept. & Oct. editions of *Family Courts in Crisis* Newsletter, covering the Hague Convention Domestic Violence Project, international divorce in cases of domestic abuse, & **discriminatory policies of the US Department of State.**

The State Department & American Consulate's policies of non-compliance with the Convention of Consular Relations, 7 FAM & CFR 22 in regards to American victims residing abroad, constitutes *de facto* discriminate against women, encourages violence against women around the globe, and provides practical assistance to abusers. It should be noted for the record that these abusers are increasingly utilizing family courts to abuse and harass victims at national levels, while utilizing the Hague Convention on International Child Abduction at international levels, with ample assistance & advice coming from State Department officials (aggravating the tort of the American government in their failure to protect the lives of American citizens, under the principle of due diligence.)

Previous editions of *Family Courts in Crisis* Newsletters, which are distributed to 700+ journalists, advocates, and human & women's rights organizations in the USA & Europe, are posted on <http://worldpulse.com/node/71182>.

As I informed Ambassador Solomont in my last letter to the American Embassy in Madrid, dated June 24, 2013, I filed a complaint with the *Ilustre Colegio de Abogados de Madrid* on June 14, 2013 against the lawyers implicated in my case (copy of said complaint is posted on <http://worldpulse.com/node/72778>.) As expected, and in keeping with the well-documented failure of the Spanish government to investigate the violation of the rights of citizens, particularly foreign nationals, the *Colegio de Abogados de Madrid* has failed to examine and investigate my allegations (see my response to *Preliminar 859/13* enclosed,) contending the following:

- The violation of rights of victims of gender violence, and discrimination against women **“only involve [the violation of] fundamental rights recognized in the Spanish Constitution and norms under international agreements and not in any way under ordinary laws”** and thereby absolves implicated lawyers of all wrong-doing. (**Demonstrating a lack of recognition of the principle of “hierarchy of judicial norms.”**)
- The malpractice and negligence of implicated lawyers are **“decisions of lawyers [that] fall under their independence, prerogatives** that assists them in performance of their function as provided for under art. 542.2 of the *Ley Orgánica del Poder Judicial*, 33 of the *Estatuto General de la Abogacía*, and 2 of the *Código Deontológico de la Abogacía Española*” (**Demonstrating a lack of recognition of art. 1, 9, and 10 of the Spanish Constitution, inter alia.**)

The contention of the *Colegio de Abogados* that it is **THE RIGHT of lawyers in Spain to violate the rights of citizens** (particularly victims of domestic abuse) **with total impunity**, clearly demonstrates that the Spanish government is **knowingly concealing evidence of human rights violations** within its borders.

Since crimes of mental duress, torture, rape, and often murder are systematically being committed against approximately half of the Spanish population (and for the simple reason of being women) with full knowledge & acquiescence of state and non-state judicial actors, who are systematically occulting evidence of said crimes, these transgression **fulfill the criteria of crimes against humanity**, as defined by Arts. 7.1a, h, k, & 7.2 g of the *Rome Statute of the International Criminal Court*; Art. 1.1 of the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, & Art. 607 bis of the *Spanish Penal Code*.

The failure/refusal of Pedro Lescure Ceñal, Director Departamento Deontologia Profesional, *Ilustre Colegio de Abogados de Madrid* (and any other implicated employees of the *Colegio de Abogados*) to duly investigate allegations against implicated legal counsel, and refer my case to the *Ministerio Fiscal* as mandated in art. 2.1 of Decreto 245/2000, makes them accessory to any and all infractions committed by the lawyers cited in my complaint under article 451 of the Spanish penal code, citing the following:

*Article 451 - Whoever has knowledge of a felony committed and, without having intervened in it as a principal, subsequently intervenes in its execution, in any of the following manners, shall be punished with a sentence of imprisonment of six months to three years: - 2. **Hiding, altering or destroying the evidence, effects or instruments of an offence, to prevent it being discovered;** & 3. **Aiding the suspected criminals to avoid investigation by the authority or its agents, or to escape search or capture, whenever any of the following circumstances concur: b) When the person abetting has acted in abuse of his public functions.** In this case, in addition to the punishment of custodial sentence, that of special barring from public employment and office for a term of two to four years shall be imposed if the felony concealed is less serious, and of **absolute barring for a term from six to twelve years if it is serious.***

The American Consulate in Madrid has been informed of all irregularities by implicated judicial actors from the onset of my case in 2007, but has consistently refused to comply with US, Spanish and international law by utilizing their authority to defend my and my children's rights and denounce any and all violations of said rights by legal counsel &/or Spanish courts (as provided for in the Convention of Consular Relations) rendering them accessories to said crimes.

Once again, I call attention to the double-standards and discriminatory policies of State Department officials which **turn a blind-eye to flagrant and repeated felony crimes committed by judicial actors and Spanish government officials while holding victims of domestic abuse accountable to the letter of the law.** The fact that State Department officials and/or Consular agents are apparently oblivious to their legal obligation, and/or ignorant of laws, treaties, or federal guidelines which provide them with the tools them to assist American citizens living abroad, and/or the fact they are themselves in violation of the law by omission of action (art. 11 of the Spanish penal code,) is no defense in their failure to protect. **Ignorance of the law is no defense.**

I am therefore, and hereby once again, under art. 5 and 38 of the *Convention of Consular Relations* and §71.1 and §10.735–215 of CFR 22, inter alia **petitioning the American Embassy**

and Consulate in Madrid to rescind its policy of non-compliance with the aforementioned and at this time contact the *Ilustre Colegio de Abogados de Madrid* on my behalf, requesting that they diligently fulfil their obligations as provided for under 2.1 and 2.2 of Decreto 245/2000 (and article 451 of the Spanish penal code) to notify the *Ministerio Fiscal* regarding my allegations of criminal infractions by the following:

- Gonzalo Martínez de Haro of Vinader, Carlos y Asociados (*procuradora* Juan Bosco Hornedo Muguero)
- Maria Fernanda Guerrero Guerrero
- Belén García Martin (*procuradora* María Pilar Lantero)
- Jose Manuel Hernández Jiménez (*abogado de oficio*)
- Jorge Capell de Cuatrecasas, Gonçalves Pereira (*procuradora* Pilar Poveda Guerra)
- Cuatrecasas, Gonçalves Pereira
- Alberto Fontes García Calamarte (*procuradora* Rafael Gamarra Megias)
- Miguel Martínez López de Asiain y Ignacio González Martínez (*procuradora* Rafael Gamarra Megias)

The failure of government officials to duly investigate my allegations and hold responsible parties accountable for their actions, **contrary to deterring me from pursuing all legal channels at my disposal, is re-enforcing my resolve to do so, as well as strengthening my case against them.**

As I have repeatedly stated in all correspondence in the past 7 years, I believe it in the best interest of all implicated parties to avoid further legal action in Spain and/or the international courts, and have consistently, in good faith, demonstrated my willingness to come to an agreement with injurious parties for reparations of damages caused by their negligence to my personal assets as well as the funds necessary to reinstate my company, Global Expats / www.global-xpats.com to the competitive position it would enjoy today (vis-à-vis competitors www.yelp.com, www.citysearch.com, www.local.com, etc.), if judicial actors had fulfilled their legal obligations under national and international law in the past 7 years.

From the beginning of my ordeal, all I have ever desired (as my legal counsel has been aware from the onset of my case) is to live and work in peace, with my children at my side. This is my RIGHT under Spanish, international and universal law. Until I am accorded this RIGHT and sufficient reparation for the violation of this and other RIGHTS, I will be propelled to continue my pursuit for justice and restitution through every legal means at my disposal.

The fact that State Department officials, Spanish judicial actors, and Spanish public servants do not recognize, defend, or protect:

- **the RIGHT of women (and her children) to live in peace, security, free from threats upon their lives & person, as well as free from torture, inhumane treatment, degradation & oppression**
- **the RIGHT of women to private, matrimonial property, and to access that property/funds during marriage & upon its dissolution**
- **the RIGHT of women to freely pursue entrepreneurial efforts, and instead recognizing the right of a man to dictate and prevent his wife from pursuing the professional activities that she so desires, as well as financial independence for her and her children**

- **the RIGHT** of homemakers to have their contribution to the home, family & community and her dedication to the upbringing of her children recognized by family courts during the dissolution of marriage

is not only in violation of national & international law, but demonstrates to what extent the millions of speeches, promises and pledges of the US government, US Department of State, Spanish government, *inter alia* are nothing more than empty rhetoric and deceptions. RIGHTS, ARE NO RIGHTS WHEN NOT DEFENDED & PROTECTED BY THOSE IN POWER & AUTHORITY!

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox
Founder – Global Expats
Founder – Safe Child International

cc: Under Secretary of Management, Patrick F Kennedy, US Department of State
American Ambassador in Madrid, James Costos
Congressman Steny Hoyer
Congressional members of the American's Abroad Caucus



Quenby Wilcox
Founder - Global Expats
www.global-xpats.com
quenby@global-xpats.com

The Honorable Janice L. Jacobs
Assistant Secretary for Consular Affairs
US State Department
2201 C Street NW
Washington, DC 20520
202-647-9576
jacobsjl@state.gov

November 5, 2013

RE: Human Rights Case *Wilcox vs. Spain* - Violations of Spanish and international law

Dear Ambassador Jacobs,

I am once again contacting you regards to my ongoing case against the Spanish government for human rights violations under their obligation to protect victims of domestic violence and the principle of due diligence, as established by the Inter-American Commission on the Status of Women, *Gonzales vs. USA*, 2011, inter alia.

Please find enclosed a copy of my letter to Ambassador Costos of the American Embassy in Madrid, requesting that the American Embassy and Consulate in Madrid officially contact the *Ilustre Colegio de Abogados de Madrid* protesting their failure to investigate the allegations against the negligence and malfeasance of my legal counsel between 2007 and 2012, as provided for under Spanish law.

As I informed former Ambassador Solomont in my last letter to the American Embassy in Madrid, dated June 24, 2013, I filed a complaint with the *Ilustre Colegio de Abogados de Madrid* on June 14, 2013 against the lawyers implicated in my case (copy of said complaint is posted on <http://worldpulse.com/node/72778>.) As expected, and in keeping with the well-documented failure of the Spanish government to investigate the violation of the rights of citizens, particularly foreign nationals, the *Colegio de Abogados de Madrid* has failed to examine and investigate my allegations in *Preliminar 859/13* contending the following:

- The violation of rights of victims of gender violence, and discrimination against women **“only involve [the violation of] fundamental rights recognized in the Spanish Constitution and norms under international agreements and not in any way under ordinary laws”** and

thereby absolves implicated lawyers of all wrong-doing. (**Demonstrating a lack of recognition of the principle of “hierarchy of judicial norms.”**)

- **The malpractice and negligence of implicated lawyers are “decisions of lawyers [that] fall under their independence, prerogatives”** that assists them in performance of their function as provided for under art. 542.2 of the *Ley Orgánica del Poder Judicial*, 33 of the *Estatuto General de la Abogacía*, and 2 of the *Código Deontológico de la Abogacía Española*” (**Demonstrating a lack of recognition of art. 1, 9, and 10 of the Spanish Constitution, inter alia.**)

The contention of the *Colegio de Abogados* that it is **THE RIGHT of lawyers in Spain to violate the rights of citizens** (particularly victims of domestic abuse) with total impunity, clearly demonstrates that the Spanish government is **knowingly concealing evidence of human rights violations** within its borders.

Since crimes of mental duress, torture, rape, and often murder are systematically being committed against approximately half of the Spanish population (and for the simple reason of being women) with full knowledge & acquiescence of state and non-state judicial actors, who are systematically occulting evidence of said crimes, these transgression **fulfill the criteria of crimes against humanity**, as defined by Arts. 7.1a, h, k, & 7.2 g of the *Rome Statute of the International Criminal Court*; Art. 1.1 of the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, & Art. 607 bis of the *Spanish Penal Code*.

The failure/refusal of Pedro Lescure Ceñal, Director Departamento Deontologia Profesional, *Ilustre Colegio de Abogados de Madrid* (and any other implicated employees of the *Colegio de Abogados*) to duly investigate allegations against implicated legal counsel, and refer my case to the *Ministerio Fiscal* as mandated in art. 2.1 of Decreto 245/2000, makes them accessory to any and all infractions committed by the lawyers cited in my complaint under article 451 of the Spanish penal code, citing the following:

*Article 451 - Whoever has knowledge of a felony committed and, without having intervened in it as a principal, subsequently intervenes in its execution, in any of the following manners, shall be punished with a sentence of imprisonment of six months to three years: - 2. **Hiding, altering or destroying the evidence, effects or instruments of an offence, to prevent it being discovered;** & 3. **Aiding the suspected criminals to avoid investigation by the authority or its agents, or to escape search or capture, whenever any of the following circumstances concur:***
*b) **When the person abetting has acted in abuse of his public functions. In this case, in addition to the punishment of custodial sentence, that of special barring from public employment and office for a term of two to four years shall be imposed if the felony concealed is less serious, and of absolute barring for a term from six to twelve years if it is serious.***

The American Consulate in Madrid has been informed of all irregularities by implicated judicial actors from the onset of my case in 2007, but has consistently refused to comply with US, Spanish and international law by utilizing their authority to defend my and my children's rights and denounce any and all violations of said rights by legal counsel &/or Spanish courts (as provided for in the Convention of Consular Relations) rendering them accessories to said crimes.

In relation to State Department official's refusal to assist victims of domestic abuse, I call attention to the **double-standards and discriminatory policies** of State Department officials which **turn a**

blind-eye to flagrant and repeated felony crimes committed by judicial actors and Spanish government officials in their failure to protect victims of violent crimes/domestic abuse while holding the victims (obligated to flee foreign jurisdictions) accountable to the letter of the law. The fact that State Department officials and/or Consular agents are apparently oblivious to their legal obligation, and/or ignorant of laws, treaties, or federal guidelines which provide them with the tools them to assist American citizens living abroad, **and/or the fact they are themselves in violation of the law by omission of action is no defense in their failure to fulfill their obligation to protect under international law and democratic principles. Ignorance of the law is no defense.**

I am therefore, and hereby once again, under **art. 5 and 38 of the Convention of Consular Relations and §71.1 and §10.735–215 of CFR 22**, inter alia **petitioning the Department of State to request through appropriate channels that the American Embassy and Consulate in Madrid** rescind their policy of non-compliance with the aforementioned and at this time contact the *Ilustre Colegio de Abogados de Madrid* on my behalf, requesting that they diligently fulfil their obligations as provided for under 2.1 and 2.2 of Decreto 245/2000 (and article 451 of the Spanish penal code) to notify the *Ministerio Fiscal* regarding my allegations of criminal infractions by the following:

- Gonzalo Martínez de Haro of Vinader, Carlos y Asociados (*procuradora* Juan Bosco Hornedo Muguero)
- Maria Fernanda Guerrero Guerrero
- Belén García Martin (*procuradora* María Pilar Lantero)
- Jose Manuel Hernández Jiménez (*abogado de oficio*)
- Jorge Capell de Cuatrecasas, Gonçalves Pereira (*procuradora* Pilar Poveda Guerra)
- Cuatrecasas, Gonçalves Pereira
- Alberto Fontes García Calamarte (*procuradora* Rafael Gamarra Megias)
- Miguel Martínez López de Asiain y Ignacio González Martínez (*procuradora* Rafael Gamarra Megias)

The failure of government officials in Spain to duly investigate my allegations and hold responsible parties accountable for their actions, **contrary to deterring me from pursuing all legal channels at my disposal, is re-enforcing my resolve to do so, as well as strengthening my case against them.**

The fact that State Department officials, Spanish judicial actors, and Spanish public servants do not recognize, defend, or protect:

- **the RIGHT** of women (and her children) to live in peace, security, free from threats upon their lives & person, as well as free from torture, inhumane treatment, degradation & oppression
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- **the RIGHT** of women to freely pursue entrepreneurial efforts, and instead recognizing the right of a man to dictate and prevent his wife from pursuing the professional activities that she so desires, as well as financial independence for her and her children

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is not only in violation of national & international law, but demonstrates to what extent the millions of speeches, promises and pledges of the US government, US Department of State, Spanish government, *inter alia* are nothing more than empty rhetoric and deceptions. RIGHTS, ARE NO RIGHTS WHEN NOT DEFENDED & PROTECTED BY THOSE IN POWER & AUTHORITY!

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox
Founder – Global Expats
Founder – Safe Child International

cc: Under Secretary of Management, Patrick F Kennedy, US Department of State
American Ambassador in Madrid, James Costos
Congressman Steny Hoyer
Congressional members of the American's Abroad Caucus



Quenby Wilcox
Founder - Global Expats
www.global-xpats.com
quenby@global-xpats.com

Joyce Namde
European Division Director
Office of American Citizen Services and Crisis Management
US State Department
2201 C Street NW
Washington, DC 20520

November 5, 2013

RE: Human Rights Case *Wilcox vs. Spain* - Violations of Spanish and International Law

Dear Ms. Namde,

I am once again contacting you regards to my ongoing case against the Spanish government for human rights violations under their obligation to protect victims of domestic violence and the principle of due diligence, as established by the Inter-American Commission on the Status of Women, *Gonzales vs. USA*, 2011, inter alia.

Please find enclosed a copy of my letter to Ambassador Costos of the American Embassy in Madrid, requesting that the American Embassy and Consulate in Madrid officially contact the *Ilustre Colegio de Abogados de Madrid* protesting their failure to investigate the allegations against the negligence and malfeasance of my legal counsel between 2007 and 2012, as provided for under Spanish law.

As I informed former Ambassador Solomont in my last letter to the American Embassy in Madrid, dated June 24, 2013, I filed a complaint with the *Ilustre Colegio de Abogados de Madrid* on June 14, 2013 against the lawyers implicated in my case (copy of said complaint is posted on <http://worldpulse.com/node/72778>.) As expected, and in keeping with the well-documented failure of the Spanish government to investigate the violation of the rights of citizens, particularly foreign nationals, the *Colegio de Abogados de Madrid* has failed to examine and investigate my allegations in *Preliminar 859/13* contending the following:

- The violation of rights of victims of gender violence, and discrimination against women **“only involve [the violation of] fundamental rights recognized in the Spanish Constitution and norms under international agreements and not in any way under ordinary laws”** and thereby absolves implicated lawyers of all wrong-doing. (Demonstrating a **lack of recognition of the principle of “hierarchy of judicial norms.”**)

- The malpractice and negligence of implicated lawyers are “**decisions of lawyers [that] fall under their independence, prerogatives** that assists them in performance of their function as provided for under art. 542.2 of the *Ley Orgánica del Poder Judicial*, 33 of the *Estatuto General de la Abogacía*, and 2 of the *Código Deontológico de la Abogacía Española*” (**Demonstrating a lack of recognition of art. 1, 9, and 10 of the Spanish Constitution, inter alia.**)

The contention of the *Colegio de Abogados* that it is **THE RIGHT of lawyers in Spain to violate the rights of citizens** (particularly victims of domestic abuse) with total impunity, clearly demonstrates that the Spanish government is **knowingly concealing evidence of human rights violations** within its borders.

Since crimes of mental duress, torture, rape, and often murder are systematically being committed against approximately half of the Spanish population (and for the simple reason of being women) with full knowledge & acquiescence of state and non-state judicial actors, who are systematically occulting evidence of said crimes, these transgression **fulfill the criteria of crimes against humanity**, as defined by Arts. 7.1a, h, k, & 7.2 g of the *Rome Statute of the International Criminal Court*; Art. 1.1 of the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, & Art. 607 bis of the *Spanish Penal Code*.

The failure/refusal of Pedro Lescure Ceñal, Director Departamento Deontologia Profesional, *Ilustre Colegio de Abogados de Madrid* (and any other implicated employees of the *Colegio de Abogados*) to duly investigate allegations against implicated legal counsel, and refer my case to the *Ministerio Fiscal* as mandated in art. 2.1 of Decreto 245/2000, makes them accessory to any and all infractions committed by the lawyers cited in my complaint under article 451 of the Spanish penal code, citing the following:

*Article 451 - Whoever has knowledge of a felony committed and, without having intervened in it as a principal, subsequently intervenes in its execution, in any of the following manners, shall be punished with a sentence of imprisonment of six months to three years: - 2. **Hiding, altering or destroying the evidence, effects or instruments of an offence, to prevent it being discovered;** & 3. **Aiding the suspected criminals to avoid investigation by the authority or its agents, or to escape search or capture, whenever any of the following circumstances concur: b) When the person abetting has acted in abuse of his public functions. In this case, in addition to the punishment of custodial sentence, that of special barring from public employment and office for a term of two to four years shall be imposed if the felony concealed is less serious, and of absolute barring for a term from six to twelve years if it is serious.***

The American Consulate in Madrid has been informed of all irregularities by implicated judicial actors from the onset of my case in 2007, but has consistently refused to comply with US, Spanish and international law by utilizing their authority to defend my and my children's rights and denounce any and all violations of said rights by legal counsel &/or Spanish courts (as provided for in the Convention of Consular Relations) rendering them accessories to said crimes.

In relation to State Department official's refusal to assist victims of domestic abuse, I call attention to the **double-standards and discriminatory policies** of State Department officials which **turn a blind-eye to flagrant and repeated felony crimes committed by judicial actors and Spanish government officials** in their failure to protect victims of violent crimes/domestic abuse while

holding the victims (obligated to flee foreign jurisdictions) accountable to the letter of the law. The fact that State Department officials and/or Consular agents are apparently oblivious to their legal obligation, and/or ignorant of laws, treaties, or federal guidelines which provide them with the tools them to assist American citizens living abroad, **and/or the fact they are themselves in violation of the law by omission of action is no defense in their failure to fulfill their obligation to protect under international law and democratic principles. Ignorance of the law is no defense.**

I am therefore, and hereby once again, under **art. 5 and 38 of the Convention of Consular Relations and §71.1 and §10.735–215 of CFR 22**, inter alia **petitioning the Department of State to request through appropriate channels that the American Embassy and Consulate in Madrid** rescind their policy of non-compliance with the aforementioned and at this time contact the *Ilustre Colegio de Abogados de Madrid* on my behalf, requesting that they diligently fulfil their obligations as provided for under 2.1 and 2.2 of Decreto 245/2000 (and article 451 of the Spanish penal code) to notify the *Ministerio Fiscal* regarding my allegations of criminal infractions by the following:

- Gonzalo Martínez de Haro of Vinader, Carlos y Asociados (*procuradora* Juan Bosco Hornedo Muguero)
- Maria Fernanda Guerrero Guerrero
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- Alberto Fontes García Calamarte (*procuradora* Rafael Gamarra Megias)
- Miguel Martínez López de Asiain y Ignacio González Martínez (*procuradora* Rafael Gamarra Megias)

The failure of government officials in Spain to duly investigate my allegations and hold responsible parties accountable for their actions, **contrary to deterring me from pursuing all legal channels at my disposal, is re-enforcing my resolve to do so, as well as strengthening my case against them.**

The fact that State Department officials, Spanish judicial actors, and Spanish public servants do not recognize, defend, or protect:

- **the RIGHT of women (and her children) to live in peace, security, free from threats upon their lives & person, as well as free from torture, inhumane treatment, degradation & oppression**
- **the RIGHT of women to private, matrimonial property, and to access that property/funds during marriage & upon its dissolution**
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- **the RIGHT of homemakers to have their contribution to the home, family & community and her dedication to the upbringing of her children recognized by family courts during the dissolution of marriage**

is not only in violation of national & international law, but demonstrates to what extent the millions of speeches, promises and pledges of the US government, US Department of State, Spanish government, *inter alia* are nothing more than empty rhetoric and deceptions. RIGHTS, ARE NO RIGHTS WHEN NOT DEFENDED & PROTECTED BY THOSE IN POWER & AUTHORITY!

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox
Founder – Global Expats
Founder – Safe Child International

cc: Under Secretary of Management, Patrick F Kennedy, US Department of State
American Ambassador in Madrid, James Costos
Congressman Steny Hoyer
Congressional members of the American's Abroad Caucus



Quenby Wilcox
Founder - Global Expats
quenby@global-xpats.com
www.global-xpats.com

The Honorable James Costos
Ambassador of the United States
American Embassy in Madrid
c/ Serrano, 75
28006 Madrid, Spain

October 24, 2013

RE: Human Rights Case *Wilcox vs. Spain* - Violations of Spanish and international law

Dear Mr. Ambassador,

I am once again contacting the American Embassy in Madrid in regards to my ongoing case against the Spanish government for human rights violations under their obligation to protect victims of domestic violence and the principle of due diligence, as established by the Inter-American Commission on the Status of Women, *Gonzales vs. USA*, 2011, inter alia.

The failure of the Spanish judicial system to protect victims of domestic abuse, as well as the re-victimization of these victims, is well documented by Amnesty International in the following reports:

- Que Justicia Especializada, 2012 (enclosed) (www.es.amnesty.org/paises/espana/violencia-de-genero)
- Vida Sin Violencia, 2009 (8 November 2009 - *Amnesty International*)
- Briefing to the Human Rights Committee, 2008 (<http://www.amnesty.org/en/region/spain?page=8>)
- Obstinada Realidad, Derechos Pendientes -Tres años de la Ley de Medidas de Protección contra la Violencia de Género, 2008 (<https://doc.es.amnesty.org/cgi-bin/ai/BRSCGI?CMD=VERDOC&BASE=SAI&DOCR=1&SORT=&RNG=10&SEPARADOR=&&INAI=EUR410108>)
- Mas Derechos, Los Mismos Obstaculos, 2006 (<http://www.es.amnesty.org/noticias/noticias/articulo/mas-derechos-los-mismos-obstaculos/>)
- Mas Alla del Papel, 2005 (<http://www.amnesty.org/es/library/asset/EUR41/005/2005/es/5cc52107-d4fd-11dd-8a23-d58a49c0d652/eur410052005en.html>)
- Broken Bodies, Shattered Minds, 2001 (<http://www.amnesty.org/en/library/info/ACT40/001/2001>)

Also, please find enclosed a copy of the Sept. & Oct. editions of *Family Courts in Crisis* Newsletter which covers the Hague Convention Domestic Violence Project, international divorce in cases of domestic abuse, & the discriminatory policies of the US Department of State in regards to American victims of domestic abuse living abroad. The State Department's & American

Consulate's policies of non-compliance with the Vienna Convention of Consular Relations (VCCR,) 7 FAM & CFR 22 in regards to American victims residing abroad, constitutes *de facto* discriminate against women, encourages violence against women around the globe, and provides practical assistance to abusers.

It should be noted for the record that these abusers are increasingly utilizing family courts to abuse and harass victims at national levels, while utilizing the Hague Convention on International Child Abduction at international levels, **with ample assistance & advice coming from State Department officials. The State Department's liberal assistance to abusers (vs. total non-assistance to victims residing abroad) aggravates the already existing tort of the American government** in their failure to protect victims (under their obligation to protect & the principle of due diligence, *Gonzales vs. USA.*)

Previous editions of *Family Courts in Crisis* Newsletters, which are distributed to a growing list of 700+ journalists, advocates, and human & women's rights organizations in the USA & Europe, are posted on <http://worldpulse.com/node/71182>.

As I informed Ambassador Solomont in my last letter to the American Embassy in Madrid, dated June 24, 2013, I filed a complaint with the *Ilustre Colegio de Abogados de Madrid* on June 14, 2013 against the lawyers implicated in my case (copy of said complaint is posted on <http://worldpulse.com/node/72778>.) As expected, and in keeping with the well-documented failure of the Spanish government to investigate the violation of the rights of citizens, particularly foreign nationals, the *Colegio de Abogados de Madrid* has failed to examine and investigate my allegations (see my response to *Preliminar 859/13* enclosed,) contending the following:

- The violation of rights of victims of gender violence, and discrimination against women **"only involve [the violation of] fundamental rights recognized in the Spanish Constitution and norms under international agreements and not in any way under ordinary laws"** and thereby absolves implicated lawyers of all wrong-doing. (**Demonstrating a lack of recognition of the principle of "hierarchy of judicial norms."**)
- The malpractice and negligence of implicated lawyers are **"decisions of lawyers [that] fall under their independence, prerogatives"** that assists them in performance of their function as provided for under art. 542.2 of the *Ley Orgánica del Poder Judicial*, 33 of the *Estatuto General de la Abogacía*, and 2 of the *Código Deontológico de la Abogacía Española* (**Demonstrating a lack of recognition of art. 1, 9, and 10 of the Spanish Constitution, inter alia.**)

The contention of the *Colegio de Abogados* that it is **THE RIGHT of lawyers in Spain to violate the rights of citizens** (particularly victims of domestic abuse) **with total impunity (under the principle of "judicial independence,")** clearly demonstrates that the Spanish government is **knowingly concealing evidence of human rights violations** within its borders. Also, the idea that repeated human rights violations by judicial actors are **protected under the "defense" of judicial independence** is absurd and ludicrous.

Since crimes of mental duress, torture, rape, and often murder are systematically being committed against almost half of the Spanish population (for the simple reason of being women) with full knowledge & consent of state and non-state judicial actors (and who are systematically occulting evidence of said crimes) these transgression **fulfill the criteria of crimes against humanity**, as defined by Arts. 7.1a, h, k & 7.2 g of the *Rome Statute of the International Criminal Court*; Art. 1.1 of the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, & Art. 607 bis of the *Spanish Penal Code*.

In the case at hand, the failure/refusal of Pedro Lescure Ceñal, Director Departamento Deontologia Profesional, *Ilustre Colegio de Abogados de Madrid* (and any other implicated employees of the *Colegio de Abogados*) to duly investigate allegations against implicated legal counsel, initiating said investigation by referring my case to the *Ministerio Fiscal* as mandated in art. 2.1 of Decreto 245/2000, makes them accessory to any and all infractions committed by the lawyers cited in my complaint under article 451 of the Spanish penal code, citing the following:

*Article 451 - Whoever has knowledge of a felony committed and, without having intervened in it as a principal, subsequently intervenes in its execution, in any of the following manners, shall be punished with a sentence of imprisonment of six months to three years: - 2. **Hiding, altering or destroying the evidence, effects or instruments of an offence, to prevent it being discovered;** & 3. **Aiding the suspected criminals to avoid investigation by the authority or its agents, or to escape search or capture, whenever any of the following circumstances concur:**
b) **When the person abetting has acted in abuse of his public functions.** In this case, in addition to the punishment of custodial sentence, that of special barring from public employment and office for a term of two to four years shall be imposed if the felony concealed is less serious, and of **absolute barring for a term from six to twelve years if it is serious.***

The American Consulate in Madrid has been informed of all irregularities by implicated judicial actors from the onset of my case in 2007. But, they have consistently refused to comply with US, Spanish and international law in utilizing their power & authority to defend my and my children's rights, including, but not limited to denouncing any and all violations of said rights by legal counsel &/or Spanish courts (7 FAM 411.f3 (see 414-protest, custody, detention, abuse, arrest, notification, reporting, etc.) and VCCR (art. 2, 3, 5, 36, 37, 38, 44 & 55))

Additionally, for the record I wish to call attention to the double-standards and discriminatory policies of Consular Affairs/State Department officials which consistently turn a blind-eye to flagrant and repeated felony crimes committed by judicial actors and government officials while holding victims of domestic abuse accountable to the letter of the law. The fact that State Department officials and/or Consular agents are **apparently oblivious to their legal obligation to protect victims of domestic abuse residing abroad, and/or ignorant of laws, treaties, or federal guidelines** which provide them with the tools to assist these victims (and the fact they are themselves in violation of the law and accessories to said crimes, by omission of action (art. 11 of the Spanish penal code in my case,) is not a valid argument in their failure to protect. **Ignorance of the law is no defense.**

I am therefore, and hereby once again, under **art. 5 and 38 of the Convention of Consular Relations and §71.1 and §10.735–215 of CFR 22**, *inter alia* **petitioning the American Embassy and Consulate in Madrid** to rescind its policy of non-compliance with the aforementioned and at this time contact the *Ilustre Colegio de Abogados de Madrid* on my behalf, requesting that they diligently fulfill their obligations as provided for under 2.1 and 2.2 of Decreto 245/2000 (and

article 451 of the Spanish penal code,) notifying the *Ministerio Fiscal* regarding my allegations of criminal infractions by the following legal counsel:

- Gonzalo Martínez de Haro of Vinader, Carlos y Asociados (*procuradora* Juan Bosco Hornedo Muguero)
- Maria Fernanda Guerrero Guerrero
- Belén García Martin (*procuradora* María Pilar Lantero)
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The failure of government officials to duly investigate my allegations and hold responsible parties accountable for their actions, **contrary to deterring me from pursuing all legal channels at my disposal, is re-enforcing my resolve to do so, as well as strengthening my case against them.**

As I have repeatedly stated in all correspondence in the past 5 years, **I believe it in the best interest of all implicated parties to avoid further legal action in Spain and/or the international courts**, and have consistently, in good faith, demonstrated my willingness to come to an agreement with injurious parties for reparation of damages caused by their negligence to my personal assets as well as the funds necessary to reinstate my company, Global Expats / www.global-xpats.com (see enclosed presentation) to the competitive position it would enjoy today (vis-à-vis competitors www.yelp.com, www.citysearch.com, www.local.com, etc.), if judicial actors had fulfilled their legal obligations under national and international law in the past 7 years.

From the beginning of my ordeal, all I have ever desired (as my legal counsel has been aware from the onset of my case) is to live and work in peace, with my children at my side. This is my **RIGHT** under Spanish, international and universal law. Until I am accorded this **RIGHT** with sufficient reparation for the violation of this and other **RIGHTS**, **I will be propelled to continue my pursuit for justice and restitution through every legal means at my disposal.**

The fact that US State Department officials, Spanish judicial actors, and Spanish public servants do not recognize, defend, or protect:

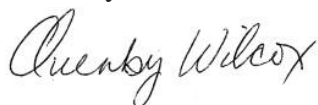
- **the RIGHT** of women (and her children) to live in peace, security, free from threats upon their lives & person, as well as free from torture, inhumane treatment, degradation & oppression
- **the RIGHT** of women to freely pursue entrepreneurial/professional efforts (instead recognizing and supporting the antiquated right/norm of a man to dictate and prevent his wife from pursuing professional activities outside the home, and with the intention of preventing her from obtaining financial independence for her and her children)
- **the RIGHT** of women to possess private, matrimonial property, and to access that property/funds during marriage & upon its dissolution

- **the RIGHT** of homemakers to have their work & contribution to the home, family & community and dedication to the upbringing of children recognized by governments & family courts during the dissolution of marriage, *inter alia*

is not only in violation of national & international law, but demonstrates to what extent the millions of speeches, promises and pledges of the US government, US Department of State, Spanish government, *inter alia* are **nothing more than empty rhetoric and deceptions.** RIGHTS, ARE NO RIGHTS WHEN NOT DEFENDED & PROTECTED BY THOSE IN POWER & AUTHORITY!

Thank you in advance for your time and consideration. If you should have any questions, I may be contacted at my email, quenby@global-xpats.com.

Sincerely,



Quenby Wilcox

Founder – Global Expats

Founder – Safe Child International

cc: Under Secretary of Management, Patrick F Kennedy, US Department of State
 Jim Pettit, Deputy Assistant Secretary of State for Overseas Citizens Services
 Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management, US Department of State
 Congressman Steny Hoyer
 Congressional representatives, members of the American's Abroad Caucus



Quenby Wilcox
Founder - Global Expats
www.global-xpats.com
quenby@global-xpats.com

Patrick F. Kennedy
Under Secretary of State for Management
US State Department
2201 C Street NW
Washington, DC 20520

June 26, 2013

RE: Human rights violations under the failure to protect and the principle of due diligence

Dear Under Secretary Kennedy,

First, I would like to thank you, as Ms. Namde, European Division Chief, Office of American Citizens Services and Crisis Management responded to my correspondence to you dated March 16, 2013. Please see enclosed a copy of her response.

Second, I am contacting you as the problems and issues within my case potentially affect the 6 million Americans residing abroad, all living under foreign jurisdictions. Whether they are involved in commerce or commercial transactions, judicial proceedings of any kind, or victims of crimes or abuses of power, they are all potentially exposed to the same discrimination and violation of rights as I have experienced, and the failure of their Consulate to comply with the Convention of Consular Relations, 7 FAM, and 22 CFR in providing them with assistance.

Therefore, as a concerned citizen as well as Founder of Global Expats, whose mission is to assist American expatriates, I feel it is my duty to contest the US Department of State's policy of non-assistance and non-intervention in defending the interests and rights of American expatriates involved in judicial proceedings abroad. It is for this reason that I have taken the liberty of contacting you concerning my ongoing requests for assistance with the US Consulate in Madrid.

While the US Consulate in Madrid assisted me in the past months recuperating the legal documents from my lawyers, my case in Spain is far from over. **My case is now against my legal counsel for their gross negligence and mis-conduct, as well as discrimination and failure of due process by judicial actors.**

The failure of regulatory agencies in Spain to appropriately examine and investigate my allegations in the complaints presented, **will give rise to liability of the Spanish government for human rights violations under the principle of due diligence and their obligation to protect (Gonzales vs. USA, Inter-American Commission of Human Rights, inter alia.)** The probability that they will fail to exercise due diligence in the examination of my allegations is highly likely due to the fact that the

Defensor del Pueblo, Consejo General del Poder Judicial and *Instituto de Mujer* have previously refused to diligently examine the facts of the case that fall under their authority.

For this reason, I am requesting that the American Consulate and Embassy in Madrid, officially request that the Bar Association of Madrid (*Ilustre Colegio de Abogados de Madrid*) diligently review my complaint and take appropriate action, thereby avoiding the necessity to present my case to the European Court of Human Rights.

Please note that my present and previous **requests for assistance have at no time been for legal services or advice, and/or inappropriate intervention or influence of legal proceedings in Spain** by the US government or its representatives (as Ms. Namde, and her predecessor Mr. Miller contended.) At all times my requests have been **in total accordance** with international law, Spanish law, US law, and **are even mandate by US and international law, as well as US Department of State guidelines and regulations, notably 7 FAM and 22 CFR.**

Ms. Namde (and previously Mr. Miller) have contended that the US government cannot assist me as my case involves “private legal matters.”

Domestic abuse and the failure of a State to protect are human rights violations, not a “private matter.” I refer you to the **amicus brief on *The Duty to Protect in Gonzales vs. USA, 2011*** (Inter-American Commission on Human Rights - <http://web.law.columbia.edu/human-rights-institute/inter-american-human-rights-system/jessica-gonzales-v-us/gonzales-case-page>.) “*The European Court of Human Rights has regularly recognized that domestic violence is not a private matter and that states have a positive obligation to protect individuals against acts of violence by private individuals. See Osman v. The United Kingdom, I*” Additionally, as many of the problems in my case, and the issues I have presented to US State Department officials, **involve unlawful and unconstitutional actions, and omission of actions, by Spanish officials, they fall under public law (not private law.)**

US State Department representatives have also contended that the State Department is unable to provide assistance to victims of domestic abuse involved in judicial proceedings in a foreign country because of sovereignty and/or judicial independence issues. The US government (or any government) cannot sanction the human and/or civil rights violations of their citizens (by state or non-state actors) on foreign soil, under the contention of “sovereign” rights when a foreign (democratic) government is clearly in violation of their obligation to protect under international law, as well as their constitutional obligations.

And, the failure to assist or covering-up of domestic abuse (or any other human rights violations) by judicial actors can in no way, shape or form, nor under any circumstance, be justified under “judicial independence.” Judicial independence is a valid argument in the protection, and assurance, of a democratic and transparent judiciary, but **is not valid in protecting judicial actors involved in the corruption of due process, violations of citizen’s rights, nor illegal/unlawful activity.**

As the American Consulate in Madrid (and my lawyers) have been aware from the beginning (2007), my case involves my ex-husband’s efforts to prevent me from working outside the home, and starting a company, Global Expats – www.global-xpats.com. The negligence of my legal counsel couple with that of the Spanish judicial system has, until present, prevented me from doing just that.

In the past 6 years, networking, advertising sales, and local search has experienced explosive growth, with these websites earning hundreds of millions, and even billions of dollars per year. **Lost revenues to www.global-xpats.com in the past 6 years are estimated to date at \$200 million dollars.**

I am more than willing to come to an equitable and prompt agreement, which would permit me to restore my website and project, to the competitive position on the Internet it enjoyed in 2006-2007, and the technological capabilities it would possess at present, if its development had not been impeded for the past 6 years (by the negligence of my legal counsel.) I believe it would be in the best interest of all parties concerned to move forward in a timely manner, and sincerely hope that further legal action within the Spanish courts, and/or international courts might be avoided.

For your convenience, I am including a copy of my correspondence to the American Embassy and Consulate in 2007 (in regards to Global Expats (www.global-xpats.com) as well as my problems with the courts in Spain) with all correspondence with US State Department officials and representatives (2007 -2013) posted on <http://worldpulse.com/node/64031> and <http://worldpulse.com/node/73335>.

I hope that by bringing the problems and issues that I have experience with the Consular Affairs division of the US Department of State, notably their failure to comply with federal law, 7 FAM, and 22 CFR, will persuade the US State Department to re-examine its policies and procedures in regards to American living abroad involved in judicial processes.

Thank you in advance for your time and consideration. If you should require further information, or have any questions, please feel free to contact me at quenby@global-xpats.com or (202) 213-4911.

Sincerely,



Quenby Wilcox
Founder – Global Expats
quenby@global-xpats.com
www.global-xpats.com

cc: Ambassador Alan D. Solomont, Embassy of the United States in Madrid
Congressman Steny Hoyer



United States Department of State

Washington, D.C. 20520

May 3, 2013

Dear Ms. Wilcox:

Thank you for your letter of March 18 to Under Secretary Kennedy regarding the allegations of human rights abuse in Spain and your legal dispute against the Government of Spain. Your letter was referred to our office for response.

The U.S. Embassy in Madrid and the Office of Overseas Citizens Services of the Department of State in Washington have both been in frequent communication with you to provide assistance and information, within the limits permitted by international law and domestic laws within the United States and Spain. Under the Vienna Convention on Consular Relations, the Department's duty is to protect the welfare of U.S. citizens within the constraints of the host country's domestic laws and relevant U.S. laws.

We continually strive to assist U.S. citizens overseas with appropriate consular services. Thank you for notifying us that you have received your legal files of the law firm with which you had worked previously, which we assisted you in obtaining. We understand that you were not satisfied with the legal representation you received in Spain and that you plan to pursue a formal complaint there. As we explained previously in our communications, the U.S. government may not intervene in the private legal matters of U.S. citizens in foreign domestic courts. We are prohibited by federal regulations from acting as attorneys or agent or in any fiduciary capacity in 22 CFR 92. You can find more about the Spanish legal system generally and a list of Spanish attorneys at the U.S. Embassy website at <http://madrid.usembassy.gov/citizen-services/professional-services/legal-assistance.html>.

Quenby Wilcox
10 Southway, Unit P,
Greenbelt, MD 20770

We trust this information is helpful to you. If you have any additional questions, please contact Jo-Ann Hunter in the Office of American Citizens Services and Crisis Management at (202) 736-4988 or by e-mail at HunterJL@state.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Joyce Name". The signature is fluid and cursive, with a large initial "J" and a stylized "N".

Joyce Name
European Division Chief
Office of American Citizens Services
and Crisis Management



Quenby Wilcox
Global-Expats.com
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28692 Urb. Villafranca del Castillo
Madrid, Spain
Tel. +34.91.810.2504 Fax. +34.91.810.2353
administration@global-expats.com
www.global-expats.com

Eduardo Aguirre
U.S. Ambassador to the Kingdom of Spain and the Principality of Andorra
American Embassy
calle Serrano, 75
28006 Madrid, SPAIN

Dear Ambassador,

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Sincerely,
Quenby Wilcox
administration@global-expats.com
www.global-expats.com



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administration@global-expats.com
www.global-expats.com

Maria Teresa Aguirre
American Embassy
calle Serrano, 75
28006 Madrid
SPAIN

Dear Mrs. Aguirre;

March 12, 2007

I have taken the liberty of contacting you because I am in the process of promoting a project that I have been developing for the past two years, and that I feel that will be of great interest to American Embassies worldwide as well as their expatriated communities.

Briefly, I created an entirely free-of-charge, multi-lingual, information based website, www.global-expats.com, that has been available on the Internet since November 2006, and which will eventually be complimented by an international, global *trailing spouse* organization, that through networking, may promote entrepreneurial and philanthropic interests as well as cross-cultural understanding and cooperation. Please find enclosed a prospectus that I have prepared, which defines and explains this project in it's' entirety.

In the promotion of this project I am experiencing great difficulty in contacting the appropriate people within multinationals and governmental organizations who may inform expatriated employees and communities as to the existence of my website. And for this reason I have written to you in the hope that you may assist me in contacting the person, or persons, within the US State Department who are responsible for transferring Foreign Service Officials and their families abroad.

Additionally, I hope that you may be able to assist me in notifying the American expatriated community in Madrid and throughout Spain as to the existence of this free service. For your convenience, I have enclosed copies of a publicity "flyer" that I have prepared, and respectfully request that it be posted within the American Embassy and Consuls in Spain.

Thank you in advance for your time and consideration, and please feel free to contact me with any questions that you may have.

Sincerely,

Quenby Wilcox
administration@global-expats.com
www.global-expats.com

Quenby Wilcox
C/ Castillo de Malpica, 132
28692 Urb. Villafranca del Castillo
Madrid, Spain Tel. 34.91.810.2504 / 91.810.2353.

Ambassador Eduardo Aguirre
US Ambassador to the Kingdom of Spain and the Principality of Andorra
American Embassy
c/ Serrano, 75
28008 Madrid, Spain

Dear Ambassador Aguirre,

October 28, 2007

Because I am an American citizen residing in Madrid, I am once again contacting you as I am literally being held "hostage" in this country by my husband and its antiquated legal and judicial system. I am requesting the assistance of the American Consulate in assuring that my legal, civil and human rights are respected and protected here in Spain.

While in college I worked for the former Senator J. Bennett Johnston from Louisiana. One of the services that he provided to his constituents was assurance that their legal and civil rights were protected during judicial proceedings in his state. He no way influenced decisions or judgments; but all proceedings were closely monitored by his staff in order to assure that no prejudice or corruption was allowed to occur during these proceedings. I trust that the American Consulate in Madrid will provide me with this same service here in Spain.

On September 3, 2007 I filed a complaint against my husband's continual threats to kill me the proceeding day. After filing the complaint I contacted Senor Gonzalo Martinez de Haro of Vinander, Carlos y Asociados, whose name I had found on the American Embassy website and had consulted with in July 2007. Senor de Haro agreed to represent me the next day. On September 4, 2007 I presented myself along with Senor de Haro at *juzgado* of Mostoles, and after the trial he informed me that I would lose custody of my children because my h
lawyer.

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Sincerely. Quenby Wilcox





Quenby Wilcox
Founder - Global Expats
www.global-xpats.com
quenby@global-xpats.com

Joyce Namde
European Division Director
Office of American Citizen Services and Crisis Management
US State Department
2201 C Street NW
Washington, DC 20520
Tel. (202) 663-2452
namdejw@state.gov

June 24, 2013

RE: Human rights violations under the failure to protect and the principle of due diligence

Dear Ms. Namde,

I am once again contacting the US State Department in regards to my divorce/domestic violence case in Spain, in the hopes of an expeditious, acceptable, and final resolution, thereby avoiding future correspondence with you in regards to the case at hand.

I received the court documents of my divorce from my lawyers, via the American Consulate on April 29, 2013, thereby officially ending legal proceeding in regards to *Divorcio contencioso Gonzalez de Alcala vs. Wilcox* 1143/2007. My case is now against my legal counsel for their professional and criminal negligence in regards to my defense in all judicial proceedings between September 2007 and November 2012 as well as for financial, moral, and punitive damages. Damages reclaimed are personal as well as to lost income of my company, Global Expats – www.global-xpats.com, estimated at \$200 million to date. Please see enclose document, Global Expats – Concept and Structure.

It is my sincere hope that the appropriate Spanish regulatory agencies and courts will exercise due diligence in investigating the facts of my case, holding all judicial actors responsible for their infractions of the law, with appropriate restitution of damages incurred by me and my company, thereby avoiding the obligation of presenting my case to the European Courts of Human Rights.

To this end I am hereby requesting that the US State Department in Washington, DC request that the American Consulate in Madrid officially request that the *Ilustre Colegio de Abogados de Madrid*, examine and investigate the complaint against implicated lawyers in Spain (2007-2012). My complaint, with all relevant documents in downloadable pdf format, is posted on the Internet at <http://worldpulse.com/node/72778> and is against the following legal counsel:

- Gonzalo Martínez de Haro of Vinader, Carlos y Asociados (*procuradora*¹ Juan Bosco Hornedo Muguero) **(found on the American Embassy website <http://madrid.usembassy.gov/citizen-services/professional-services/attorneys2.html>);**
- Maria Fernanda Guerrero Guerrero
- Belén García Martín (*procuradora* María Pilar Lantero) **(recommended by Steven Plehn from Plehn Abogados found on the American Embassy website <http://madrid.usembassy.gov/citizen-services/professional-services/attorneys2.html>);**
- Jose Manuel Hernández Jiménez (*abogado de oficio*);
- Jorge Capell de Cuatrecasas, Gonçalves Pereira (*procuradora* Pilar Poveda Guerra) **(posted on the American Embassy website <http://madrid.usembassy.gov/citizen-services/professional-services/attorneys2.html>);**
- Alberto Fontes García Calamarte (*procuradora* Rafael Gamarra Megias);
- Miguel Martínez López de Asiain y Ignacio González Martínez (*procuradora* Rafael Gamarra Megias);

The US Department of State representatives in Madrid and Washington, DC have continually **erroneously contended** that:

1. They have been unable to assist me as requested in the past 6 years, due their inability to assist “US citizens in private legal matters in foreign domestic courts.” Domestic abuse and violence and the failure of a State to protect is **not a “private matter” but a human rights violation.**

I referred you to the **amicus brief on *The Duty to Protect in Gonzales vs. USA, 2011*** (Inter-American Commission on Human Rights - <http://web.law.columbia.edu/human-rights-institute/inter-american-human-rights-system/jessica-gonzales-v-us/gonzales-case-page>)

“Traditionally, domestic violence has been conceptualized as a private or family matter beyond the reach of the state. In order to ensure effective enforcement of women’s human rights, the Commission has repeatedly “suggested an examination of [this] traditional dichotomy between private acts and public acts, a dichotomy in which private, domestic, or intimate matters are considered beyond the purview of the State. In this dichotomy between public and private acts, the family is regarded as the geographic epicenter of domestic matters and a realm in which the state is not to intrude. The misguided reasoning is that the State should refrain from any interference in family matters out of respect for personal autonomy.” Id. at 26; see also Maria da Penha Maia Fernandes, Inter-Am. C.H.R., Report No. 54/01 ¶¶ 55, 56. 21/

21/ Of course, “[v]iolence against women in the family is not a private matter but a human rights violation. Where it occurs, human rights are not fully protected.” Amnesty Int’l, Russian Federation: Nowhere to Turn to - Violence Against Women in the Family, AI Index EUR 46/056/2005, Dec. 14, 2005. The European Court of Human Rights has regularly recognized that domestic violence is not a private matter and that states have a positive obligation to protect individuals against acts of violence by private individuals. See Osman v. The United Kingdom, 19

¹ Bajo el ley Española y parámetros indicado por el Consejo General de Procuradores de España parece que mis procuradores eran bajo un obligación de notificar el tribunal y el juez de instrucción, y/o autoridades apropiadas sobre cualquier irregularidades, transgresiones, o negligencia profesional o criminal (o el intención de cometerlo) por actores judiciales, y entonces poseen un responsabilidad legal y obligación por daños financieros sufrido por mi y/o mis hijos en relación de mi caso. Mismo si no eran autores de dichos infracciones, ellos se vuelven encubridor de un delito por su omisión de actuar bajo la ley Española.

9 8 - V I I I E u r . C t . H . R . , a v a i l a b l e a t <http://cmiskp.echr.coe.int/tkp197/portal.asp?sessionId=14692669&sk> in=hudoc-en&action=request (follow “Case of Osman v. the United Kingdom” hyperlink); M.C. v. Bulgaria, 2003-I-Eur.Ct. H.R. at 646 (2004). Nonetheless, as a 2006 report by the United Nations Secretary-General observed, although international law “in the last 15 years has extended the State’s human rights obligations in the family arena,” enforcement of State laws and policies in line with these obligations “remains a pervasive challenge, as social norms and legal culture often protect privacy and male dominance within the family at the expense of the safety of woman and girls.” U.N. Secretary-General, *Ending Violence Against Women: From Words to Action*, *supra*, at 36.”

I further cite Amnesty International’s *Spain: Briefing to the Human Rights Committee*², which documents the **systematic failure of the Spanish judicial system** and Spanish government to **assure that victims of domestic abuse are adequately protected**, that they are **not discriminated against in judicial proceedings**, and that they receive **appropriate redress** for violations committed against them.

“Violence against women by intimate partners or former partners

The Human Rights Committee has clarified that the obligation to ensure the rights recognized in the Covenant to all individuals requires that States parties take all necessary steps to enable persons to enjoy those rights without discrimination.³ The obligation to protect women’s human rights includes the obligations to ensure effective protection against acts of gender violence committed by governmental agents and private individuals, and access to and effective redress where such violence occurs.

According to government figures for the period 1999-2007, the number of women killed by their partners or former partners increased from 58 women in 2005, 68 in 2006, up to 71 women in the year 2007.² An official report on the characteristics of those who were killed revealed that 30 per cent of the victims had made at least one complaint to police about the man who killed her.³

*Amnesty International is concerned that this data reflects the lack of **effective protection of women’s rights to life and freedom from torture or other cruel, inhuman or degrading treatment or punishment**. This lack of protection is exacerbated in the case of women from vulnerable groups and with additional difficulties, such as **women who are discriminated against on the grounds of nationality, ethnic origin or migrant status**.*

*However, the organization is concerned about the non-implementation of some of the rights guaranteed by Law 1/2004, and the fact that, **in practice, many women remain unprotected**. The organization is particularly concerned **by the lack of due diligence** in investigating and prosecuting acts of gender-based violence, as well as in protecting women at serious risk of gender-based violence. Amnesty International is also concerned about the special difficulties and obstacles that migrant women who do not have the appropriate documentation face, in accessing justice and specialized services.*

² <http://www.amnesty.org/en/library/asset/EUR41/012/2008/en/bc06e2a7-4cf1-11dd-bca2-bb9d43f3e059/eur410122008eng.html>

³ General Comment No. 28: Equality of rights between men and women (article 3)
UN doc.: CCPR/C/21/Rev.1/Add.10, 29 March 2000.

In view of these concerns, Amnesty International considers that **Spain is not yet adequately ensuring the rights of women** who are at risk of or have faced gender-based violence to an effective remedy, as recommended by the Committee when it clarified that, in certain circumstances, it requires States Parties “to provide for and implement provisional or interim measures to avoid continuing violations and endeavour to repair at the earliest possible opportunity any harm that may have been caused by such violations”.⁵

Migrant women victims of gender-based violence

Amnesty International is concerned that **migrant women in Spain are at particular risk of gender-based violence and killings in Spain**. The death rate of victims per million is much higher for foreigners than for Spaniards. Over the last nine years (1999-2007), **the death rate of women was 2.05 per million for Spaniards and 13.18 for foreigners**.⁶ The lack of family or social networks, language barriers and economic dependency on the aggressor are factors that increase the vulnerability of migrant women.”

My case also involves **police harassment and illegal detention** on the night of April 22, 2008, the **refusal and failure of Consular notification** under the *Convention of Consular Relations* by the arresting officers, and the **failure of authorities to investigate** my allegations of illegal detention. The prevalence of this problem in Spain is also documented in Amnesty International’s *Spain: Briefing to the Human Rights Committee*

*The organization highlights in particular its concerns about the **failure of the state to comply fully with its obligations to prevent and prohibit torture and other ill-treatment by law enforcement officials**, as required under Article 7 of the ICCPR, and to ensure that allegations of such treatment are independently, impartially and **thoroughly investigated**, that **those responsible are brought to justice** and that victims of such treatment receive adequate redress, including reparation, as required by Article 2. The organization is concerned that these failures are creating a **climate of impunity**. Amnesty International remains concerned, in particular, by the **failure of the Spanish authorities to respond positively** to the many recommendations of UN bodies, including the Human Rights Committee, on this issue.*

And, finally my case involves my ex husband’s efforts to **defraud me of my rightful assets and funds (as well as my “right to work.”)** The collusion of my legal counsel and the presiding judges (actions and omission of actions,) **constitutes conspiracy to defraud**, and the refusal of Spanish regulatory agencies to investigate my allegations against them, implicates the Spanish government in human rights violations.

These are very serious crimes, and in no way, shape or form constitute “private legal matters” as the *American Consulate in Madrid* and *US Department of State, Office of American Citizens Services and Crisis Management* have continually contended.

2. In your correspondence dated May 3, 2013 (see enclosed), you indicate that the US Department of State or any of its representatives may not assist me in my efforts to pursue formal complaints in Spain against injurious parties. I quote “*We understand that you were not satisfied with the legal representation you received in Spain and that you plan to pursue a formal complaint there. As we explained previously in our communications, the US government may not intervene in the private legal matters of US citizens in foreign domestic courts. We are prohibited by federal regulations from acting as attorneys or agent or in any fiduciary capacity in 22 CFR92. You can find more about the Spanish legal system generally and a list of Spanish*

attorneys at the US Embassy website at <http://madrid.usembassy.gov/citizen-services/professional-services/legal-assistance.html>."

As stated above my case does not involve "private legal matters" but human rights violations and the protection of my interests and rights on foreign soil, as provided for under Spanish and international law.

As to the contention that the US Department of State, and/or its representatives are unable to assist me as said assistance constitutes "legal representation or advice," and therefore under 22 CFR 92 they are unable to comply with my requests, **is completely erroneous.**

I cite the following in 22 CFR 92:

§ 92.81 Performance of legal services. (a) Legal services defined. The term „„legal services”” means services of the kind usually performed by attorneys for private persons and includes such acts as the drawing up of wills, powers of attorney, or other legal instruments. (b) Performance usually prohibited—(1) General prohibition; exceptions. Officers of the Foreign Service should not perform legal services except when instructed to do so by the Secretary of State, (c) Refusal of requests. In refusing requests for the performance of legal services, an officer of the Foreign Service should cite these regulations and should state clearly his reasons for refusing to act. In appropriate cases, the officer may furnish the inquirer with a copy of the annual list of attorneys (see § 92.82) practicing in the consular district or he may refer the inquirer to the Department for a list of attorneys. (d) Waiver of responsibility. When an officer of the Foreign Service accedes to a request for the performance of a legal service, he should inform the applicant that the service is performed at the latter’s risk and without any responsibility on the part of the United States Government or the officer performing the service.

My request that the **US Consulate in Madrid contact the Ilustre Colegio de Abogados de Madrid and/or implicated lawyers on my behalf and in an official capacity** in no way constitute "legal services," as defined in 22CFR 92, and therefore outside the responsibilities or obligations of Consular representatives. **To the contrary**, my request (as have been previous ones) are **in accordance with US law and State Department guidelines (22 CFR and 7 FAM), inter alia.** I cite the following:

7 FAM 012 ELIGIBILITY (CT:CON-416; 07-26-2012)

a. U.S. Nationals Eligible for Consular Protection and Other Services: Nationality is the principal relationship that connects an individual to a State. International law recognizes the right of a State to afford diplomatic and consular protection to its nationals and to represent their interests.

7 FAM CONSULAR PROTECTION OF U.S. NATIONALS ABROAD - 7 FAM 011 SUMMARY (CT:CON-427; 12-10-2012)

*a. The U.S. Department of State and our embassies and consulates abroad have no greater responsibility than the protection of U.S. citizens overseas. Article 5 of the Vienna Convention on Consular Relations (VCCR) provides that consular functions include. Article 5, VCCR, Consular Functions "Consular functions consist in: (a) **protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law. . . .**"*

7 FAM 1921 AUTHORITIES (CT:CON-98; 12-13-2004)

b. Foreign governments have also recognized the unique problems experienced by victims of crime. See the non-binding U.N. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power adopted by General Assembly resolution 40/34 of November 29, 1985.

c. Consular authority to provide assistance to U.S. citizen victims of crime abroad and their families in the United States is derived from:

(1) *Article 5 of the Vienna Convention on Consular Relations*;

(2) *22 U.S.C. 1731 Protection of Naturalized Citizens Abroad*;

(3) *22 U.S.C. 2715 Procedures Regarding Major Disasters and Incidents Abroad Affecting United States Citizens*;

(4) *22 U.S.C. 2715a Provision of Information on Certain Violent Crimes Abroad to Victims and Victims' Families*;

(5) *22 U.S.C. 3904(1) Functions of Service*;

(6) *22 CFR 71.1 Protection of Americans Abroad*; and

(7) *22 CFR 71.6 Services for Distressed Americans*.

Additionally, under 22 CFR § 71.1 (*Protection of Americans abroad. Officers of the Foreign Service shall perform such duties in connection with the protection of American nationals abroad as may be imposed upon them by rules and regulations prescribed by the Secretary of State.*) and 22 CFR § 10.735–215 (“*General conduct prejudicial to the Government (b) An employee abroad is also obligated to obey the laws of the country in which the employee is present*”) US Consular representatives are bound by an “obligation to protect and assist” as defined and provided for under the Spanish Constitution, Spanish penal and civil code, and all applicable laws. **For a comprehensive list of Consular duties and obligations in relation to my case see endnote.ⁱ**

Under article 195 and 450 of the Spanish penal code **US Consular representatives in Madrid have a duty under Spanish law** to assist victims of domestic abuse, as well as transmit any knowledge as to the failure of the Spanish judicial system to protect them to the appropriate authorities. (Art.195 “*Whoever does not assist a person who is unprotected or in serious, manifest danger, when able to do so without risk to himself or third parties, shall be punished with the penalty of a fine of three to twelve months...The same penalties shall be incurred by whoever, being unable to provide assistance, does not urgently call for outside help.*” And, art. 450 “*Whoever is able, by his immediate intervention and without risk to himself or another, and does not prevent a felony being committed that affects the life, integrity or health, freedom or sexual freedom of persons, shall be punished with a sentence of imprisonment of six months to two years if the offence is against life, and that of a fine from six to twenty- four months in the other cases, except if the offence not prevented is subject to an equal or lower punishment, in which case a lower degree punishment than that for the actual felony shall be imposed... The same penalties shall be incurred by whoever, being able to do so, does not resort to the authority or its agents in order for them to prevent a felony of those foreseen in the preceding Section when informed that it is about to be, or is being committed.*”)

Additionally, **the American Consulate and its representatives have an obligation under article 408 of the Spanish penal code** to assure that the *Ilustre Colegio de Abogados de Madrid* diligently examine and investigate my allegations against Gonzalo Martínez de Haro of Vinader, Maria Fernanda Guerrero Guerrero, Belén García Martín, Jose Manuel Hernández Jiménez, Jorge Capell de Cuatrecasas, Gonçalves Pereira, Alberto Fontes García Calamarte, Miguel Martínez López de Asiain y Ignacio González Martínez.

Article 408 of the Spanish penal code states “**The authority or public officer who, failing in the obligations of his office, were to intentionally cease to promote persecution of the felonies that he or his officers obtain knowledge of, shall incur the punishment of special barring from public employment and office for a term of six months to two years.**”

As to the US Department of State's advice in the past 6 years, that I should consult the American Embassy website (in order to obtain legal counsel in Spain) I wish to call attention to the fact that **3 out of the 4 lawyers engaged in the most serious professional and criminal negligence in my case are advertised on the American Embassy website.** I am unfamiliar with the selection process of the American Embassy/Consulate in compilation of their list, but sincerely hope that they will revise the criteria and/or selection process of lawyers included.

Thank you in advance for your time and consideration. If you should require further information, or have any questions, please feel free to contact me at quenby@global-xpats.com or (202) 213-4911.

Sincerely,



Quenby Wilcox
Founder – Global Expats
quenby@global-xpats.com
www.global-xpats.com

cc: Under Secretary of Management, Patrick F Kennedy, US Department of State
Ambassador Alan D. Solomont, Embassy of the United States in Madrid
US Consulate, Embassy of the United States in Madrid
Congressman Steny Hoyer

ⁱ 7 FAM 012 ELIGIBILITY
(CT:CON-416; 07-26-2012)

a. U.S. Nationals Eligible for Consular Protection and Other Services: Nationality is the principal relationship that connects an individual to a State. International law recognizes the right of a State to afford diplomatic and consular protection to its nationals and to represent their interests.

U.S. citizens are U.S. nationals. Section 101(a)(22) INA (8 U.S.C. 1101(a)(22)) provides that the term “national of the United States” means (A) a citizen of the United States,

j. The following table provides a summary and cross references to certain critical case reporting requirements. Reporting on other subjects are found throughout the 7 FAM:

7 FAM

CONSULAR PROTECTION OF U.S. NATIONALS ABROAD

7 FAM 011 SUMMARY (CT:CON-427; 12-10-2012)

a. The U.S. Department of State and our embassies and consulates abroad have no greater responsibility than the protection of U.S. citizens overseas. Article 5 of the Vienna Convention on Consular Relations (VCCR) provides that consular functions include.

Article 5, VCCR, Consular Functions

“Consular functions consist in:

(a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law. . . .”

b. Bureau of Consular Affairs: Primary responsibility for protection of U.S. citizens abroad is carried out by the Bureau of Consular Affairs (CA) in the Department of State and by dedicated consular officers, locally engaged staff and consular agents abroad. 1 FAM 250 outlines the duties and responsibilities of the Bureau of Consular Affairs. It is imperative that consular officers participate fully in post Emergency Action Committees (EAC) to ensure that the interests of private U.S. citizens traveling and residing abroad are considered in post strategic planning and decision-making. (See 12 FAH-1 H-230, Emergency Action Committees).

c. Overseas Citizens Services: Within CA, the Directorate of Overseas Citizens Services (CA/OCS) is charged with exercising the Secretary of State's responsibility to provide consular protection and services to United States citizens

abroad. OCS serves as a liaison between concerned family members, friends and members of Congress in the United States and consular posts and U.S. citizens abroad. OCS is responsible for the ongoing development, delivery and oversight of a broad range of highly technical and complex programs and services requiring an in-depth knowledge of the laws, regulations, treaties, conventions, and precedents governing those programs. CA/OCS is comprised of three offices: American Citizen Services and Crisis Management (ACS), Children's Issues (CI), and Legal Affairs (L). These offices are under the leadership of a Managing Director and the Deputy Assistant Secretary for Overseas Citizens Services.

d. The Office of American Citizens Services (ACS) and Crisis Management (CA/OCS/ACS) is in effect the Department's "America Desk." ACS helps U.S. citizens/nationals abroad and their families and friends at home with emergencies such as arrests...

f. The Office of Legal Affairs (CA/OCS/L) participates in formulating policies relating to emergency and non-emergency services to U.S. citizens residing or traveling abroad and to interested parties in the United States. L provides legal and technical guidance relating to OCS programs carried out by all OCS personnel and by consular officers worldwide. L's primary responsibilities, stated briefly, include policy formulation, program analysis and planning, litigation, legislation, regulations, treaties, advisory opinions involving complex legal analysis, liaison with other agencies and private-sector counterparts. Posts can contact L at ASK-OCS-L@state.gov.

7 FAM 426.2-1 Failure to Notify Post of Arrest - report via email;

7 FAM 911 CONSULAR ROLE

(CT:CON-407; 06-29-2012)

a. Due to the growth in international trade, travel, cultural exchange, private international law, and crime, the demand for and complexity of consular judicial assistance is growing and is often of critical importance with respect to a broad range of U.S. policies and interests as diverse as narcotics intervention, prosecution of terrorists, child adoption and abduction, and international banking.

b. Judicial assistance is one of the many consular functions that may demand rapid action and close attention to detail. It may relate to litigation, investigation, evidence gathering, and legal discovery on behalf of parties in the United States and in the host country.

c. Consular Officers are often called upon to provide information on the local availability of attorneys, translators, and other specialists who may be needed.

d. When providing judicial assistance abroad, a consular officer must observe U.S. and host country legal procedures and sensitivities in rendering such assistance. When in doubt about how to perform unfamiliar judicial functions not described in this chapter, you should consult with the Department (CA/OCS/ACS). Legal questions may be addressed to CA/OCS/L at Ask-OCS-L-Dom-Post@state.gov. CA/OCS/L will consult with the Office of the Legal Adviser and the U.S. Department of Justice as appropriate.

7 FAM 1921 AUTHORITIES

(CT:CON-98; 12-13-2004)

a. State and Federal governments have enacted laws that specify the rights of crime victims and many states have amended their State constitutions to accord rights to victims.

b. Foreign governments have also recognized the unique problems experienced by victims of crime. See the non-binding U.N. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power adopted by General Assembly resolution 40/34 of November 29, 1985.

c. Consular authority to provide assistance to U.S. citizen victims of crime abroad and their families in the United States is derived from:

(1) Article 5 of the Vienna Convention on Consular Relations;

(2) 22 U.S.C. 1731 Protection of Naturalized Citizens Abroad;

(3) 22 U.S.C. 2715 Procedures Regarding Major Disasters and Incidents Abroad Affecting United States Citizens;

(4) 22 U.S.C. 2715a Provision of Information on Certain Violent Crimes Abroad to Victims and Victims' Families;

(5) 22 U.S.C. 3904(1) Functions of Service;

(6) 22 CFR 71.1 Protection of Americans Abroad; and

(7) 22 CFR 71.6 Services for Distressed Americans.

7 FAM 1922 WHAT IS THE ROLE OF THE CONSULAR OFFICER?

PHYSICAL SAFETY OF THE VICTIM AND HIS OR HER SENSE OF SECURITY ARE YOUR MOST IMPORTANT CONCERNS.

7 FAM 1720 APPENDIX B CONSULAR OFFICER ACTION

(CT:CON-438; 01-31-2013)

When consular officers receive a request for assistance from a parent who reports domestic violence, the consular officer should continue to provide all appropriate victim assistance as outlined in 7 FAM 1932.3.

7 FAM 1932.3 Domestic Violence

(CT:CON-98; 12-13-2004)

- a. Domestic violence is a pattern of coercive behavior using intimidating, threatening, harassing, or harmful behavior that occurs between two people in a marriage or other form of intimate relationship.
- b. “Domestic violence” may involve physical, sexual, emotional, psychological abuse and/or financial or economic abuse. Domestic violence may also occur within same sex relationships; children living in an abusive home may also be victims of physical abuse or they may suffer emotional consequences from witnessing violence.
- c. Victims of domestic violence may seek your help at any point in an abusive relationship:
 - (1) When the abuse is primarily emotional;
 - (2) Shortly after the first violent incident; or
 - (3) After a pattern of physical abuse has occurred over time.
- d. See the “Domestic Violence” Tab in the “Consular Assistance to Victims of Crime Resource Notebook” on the CA/OCS Intranet feature for additional guidance, referral services, background reading and resources and information for consular assistance to victims of domestic violence.

7 FAM 1932.3-1 Before Domestic Violence Occurs

(CT:CON-98; 12-13-2004)

- a. Develop and keep updated informational material for victims of domestic violence regarding the judicial process and other important laws and procedures in your country that they are likely to face or should know. Have information available in written form and on your Web site. See “Help for American Victims of Crime Overseas” brochure.
- b. Become familiar with local laws related to domestic violence and what will/will not be prosecuted in the host country.
- c. Gather information about the procedures used in such cases by law enforcement and prosecutors in investigating and prosecuting domestic violence.
- d. Develop a list of local resources, including medical facilities, and medical care and mental health providers such as doctors, nurse examiners and counselors, who have training in domestic violence. See 7 FAM 300 for guidance on preparing a list of doctors, hospitals, and air ambulance services.
- e. Be familiar with the “Consular Assistance to Victims of Crime Resource Notebook” guidelines (Domestic Violence Tab) on the CA/OCS Intranet feature and strategies on assisting victims of domestic violence that also cover compensation programs, crisis counseling and shelter programs, and assisting family members with the criminal justice process.

7 FAM 1932.3-2 How to Assist

(CT:CON-98; 12-13-2004)

- a. The safety of the victim who reports the alleged domestic violence (and children if any are in the home) is your first concern.
- b. Don’t blame the alleged victim.
- c. Talk to him/her alone, without the spouse or children present. Do not underestimate the potential danger involved in the victim’s disclosure of domestic violence.
- d. Identify immediate medical needs and assist him/her to receive medical care.
- e. Ask if he/she has any concerns for his/her immediate safety, or that of his/her children. If yes, what are they? Does she have a plan to protect herself in the event of further violence?
- f. Ask questions to obtain specific information about the nature and severity of the abuse he/she is reporting and whether children in the home have been abused or witnessed the reported abuse?
- g. Ask if there have been previous incidents of domestic violence and whether he/she reported these to police or received medical treatment for injuries.
- h. Encourage him/her to report abuse to the police and facilitate his/her contact with police if he/she wishes to report an assault. Identify potential problems or solutions with foreign exit control laws.
- i. Help him/her obtain local law enforcement assistance with matters such as requesting an order of protection or returning to the household for personal property.
- j. Ask if there are family or friends locally who can help?
- k. Provide information about resources that address his/her physical safety and that of his/her children, his/her emotional needs, and basic issues such as housing, food, clothing, and health.
- l. If the person requests refuge or protection and there appears to be no appropriate local resources to ensure the U.S. citizen’s safety, (see 7 FAM 100 and 7 FAM 1700).
- m. If he/she does not have a passport and wants to return to the United States, help with documentation for himself/herself and his/her children, (see 7 FAM 1300).
- n. Alert the RSO about the situation if there are concerns about security at post.
- o. Respect the decision the victim makes about whether to go to local authorities or return to the United States, being mindful that there are risks attached to whatever decision he/she makes.

-
- p. Assess the situation and coordinate with CA/OCS/ACS about risks and options for assistance. Advise the victim of specialized resources for victims of domestic violence at post, if available, and in the United States if repatriation is planned.
- (1) The actual departure is often a dangerous time for the victim and those accompanying him/her because the alleged assailant may become angry about their leaving;
 - (2) CA/OCS's crime victim assistance specialists may be able to help identify domestic violence victim assistance and compensation resources that may be available in the state/community if the victim returns to the United States; and
 - (3) Assist him/her to obtain copies of police reports and/or medical documentation of injuries from abuse.
- q. Report the alleged domestic violence to CA/OCS/ACS in a front-channel message showing "Crime Victim Assistance" on the subject line. Provide enough detail to convey the gravity of the situation, including the nature of the injuries and threats, without including sensational details (see 7 FAM 1940).
- r. While you must treat allegations of domestic violence seriously, avoid assuming or saying that "a crime has been committed" in the absence of a finding by a competent authority.



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March 19, 2013

RE: American Living Abroad in Cases of Domestic Abuse and the US State Department's
Obligation to Assist under American and International Law

Dear Ms. Namde,

Thank you for your letter dated March 11, 2013 in response to my letter dated February 26, 2013. For your convenience, please find a copy enclosed as well as all previous correspondence with the US State Department in Washington, DC and the American Consulate in Madrid which may clarify the following:

- My case is in the providence of Madrid, specifically Mostoles, not Barcelona
- I am not, nor have I ever, solicited legal advice, counsel or representation from any US State Department officials or representatives, in Washington, DC or Madrid, as has been continually contended in State Department correspondence. I am well versed in legal principles and doctrines, and have never required such assistance.
- Legal proceedings in regards to my divorce and liquidation of assets were officially recognized as completed by my legal counsel in Spain in October 2012, so there are no pending legal issues for which I would require legal assistance or counsel as indicated in your letter (suggesting that I consult the American Embassy in Madrid's webpage.) It should be noted that Cuatrecasas and Plehn Abogados, two of the law firms who employ negligent legal counsel in my case, are still posted on that webpage, and Vinader, Carlos y Asociados (no longer listed) was obtained from that webpage in June 2007.
- I am not, nor have I ever, solicited the US State Department to intervene in "private legal matters of US citizens in foreign or domestic courts," (nor insinuated anything to that effect)

as has been continually contended in State Department correspondence. At all times, since March 2007 until present, my requests to the American Embassy and Consulate in Madrid, and US State Department have been in total accordance with US, Spanish and international law, as well as provisions in FAM 7 - US Department of State Foreign Affairs Manual Vol. 7 - Consular Affairs. It should be noted that services and protocol provided for in FAM 7¹ are not, nor have been provided by the American Consulate in Madrid in the past, or at present. If these services had been provided by the US Consulate in Madrid and the Overseas Citizens Services Bureau of Consular Affairs (CA/OCS) from the beginning of my ordeal, it is highly unlikely that my legal counsel and the courts in Spain would have violated my human, civil and constitutional rights as flagrantly and openly (and with endless documentation) as they did.

As indicated on the link you provided, (http://travel.state.gov/law/retain/retain_714.html) “*Should your communication with a foreign attorney prove unsatisfactory, a U.S. consular officer may, if appropriate, communicate with the attorney on your behalf.*”

Therefore, I am once again officially requesting assistance, and that the Consulate in Madrid transmits my offer for a financial settlement with previous legal counsel in Spain for damages incurred, and caused by their negligence. This offer is made as an act of good faith, and in order to prevent further legal actions against them, as provided for under Spanish and international law, noting that damages are increasing, and accruing, monthly at an estimated rate of \$8 million / month.

A complete account of all infractions of my legal counsel is posted on <http://worldpulse.com/user/2759/journal> (see Complaint to *Defensor del Pueblo & Consejo General del Poder Judicial*, *Instituto de Mujer*, and the *UN Commission on the Status of Women*, as well as all supporting documentation.)

In April 2012 (see attached correspondence,) I provided Cuatreccasas with the opportunity to discharge the contractual obligation of Jorge Capell’s (partner of Cuartecasas) which he failed to fulfill by his negligent acts, and omission of acts, between July and November 2008 under art. 1089, 1098, 1101, 1104 and 1697 of the Spanish *civil code*, art. 10, 11, 17, 22, 27, 28, 29, 31, and 512 of the Spanish *penal code*, inter alia. At that time they were provided with the opportunity to intervene in, and prevent the completion of negligent acts, and omissions of acts of legal counsel, Miguel Martinez Lopez de Asiain and Ignacio Gonzalez Martinez, 2010-2012, in regards to the liquidation of common property assets in *Gonzalez de Alcala vs. Wilcox*.

The liquidation of said assets, as well as a request through the courts/subpoena for all financial records in the name of Javier Gonzalez de Alcala (and/or Xavier Gonzalez) should have been

¹ 7 FAM, 1922-1925 (Authority and Responsibility to Victims of Serious Crimes). 7 FAM, 1930-1932 (General Guidelines for Assisting Victims of Crimes/Domestic Violence), 7 FAM, 1910-1912 (Crime Victims Assistance), 7 FAM, 1920-1929 (Child Abuse or Neglect), 7 FAM, 1721-1723 (Child Abuse and Neglect Resources), 7 FAM, 1700-1719 (Safety and Protection of Minors/International Parental Child Abduction/Hague Child Abduction Convention), 7 FAM, 900-913 (International Judicial Assistance), 7 FAM, 450-456 (Trials, Appeals, Sentences, Post Sentencing) posted on http://worldpulse.com/files/upload/2759/us_department_of_of_state_foreign_affairs_manual_v.pdf

initiated by Jorge Capell in 2008 during divorce proceedings. Not only at that time did he fail to voluntarily fulfill his obligation, he refused to do so upon my instructions. It should be noted that the negligence of Mr. Capell in regards to my representation was confirmed in my interview with a representative (legal counsel) of *Federación de Mujeres Progresistas* (www.fmujeresprogresistas.org), in 2008. It should be further noted that in my conversations with Ignacio Gonzalez Martinez (beginning of 2010) there was indications that Jorge Capell had encouraged, and/or solicited the forthcoming negligence² of Miguel Martinez Lopez de Asiain and Ignacio Gonzalez Martinez, further aggravating Jorge Capell's, and thereby Cuartecasas, negligence as well as any potential criminal liability.

Additionally, as an act of good faith, and efforts to avoid further legal action, in December 2012, I sent a letter to Steven Plehn (see attached correspondence) offering the opportunity for legal counsel in Spain to arrive at an equitable financial settlement for their negligence. As you may note in the correspondence, I did not request full damages incurred, but rather enough that would have permitted me to restore my business, Global Expats, to the state and position it would enjoy today if not for the negligence of my Spanish legal counsel during the past 6 years (as provided for under art. 1106 of the Spanish civil code, inter alia.)

For your convenience, please find attached a Business Plan for Global Expats with the recommendation that you consult with the Overseas Briefing Center (OBC) and Career Transition Center (CTC) of the Foreign Service Institute Transition Center regarding the elevated necessity for the services that Global Expats will be offering to expatriated families and communities, as well as the important role that expatriated spouse play in the successful expatriation of employees, whether they be from the private or public sector.

The US Department of State, as an employer of over 12,000 employees who are expatriated abroad with their families, along with the responsibility of assuring the safety and security of over 5.25 million Americans residing abroad, certainly appreciates the challenges these families face, and the importance of providing them with assistance in their daily needs.

Of additional consideration, in evaluating my proposed settlement of €30 million (in lieu of \$220's millions of estimated lost revenue in the past 5 years, increasing at a rate of \$8+ million/ month) is the enormous success and high revenues business/Internet websites models upon which www.global-xpats.com is based (facebook.com, linkedin.com, yelp.com, citysearch.com, about.com) and have enjoyed in the past 5-6 years (Please see my correspondence to the American Embassy and Mrs. Aguirre (Ambassador's wife) March 2007 in regards the Global Expats project.)

My legal counsels have always defended their actions by claims and rationalization that these violations of rights are "done all the time" as if this justifies their gross negligence. If judicial actors were systematically held accountable for these "habitual actions" (and omissions of acts,) then they would stop doing it, and what I am requesting at this time.

² Refusal to request a subpoena for said financial records and initiation of liquidation of assets in a timely manner and per my instructions, with said negligence confirmed in my communications with the *Federación de Asociaciones de Mujeres Separadas y Divorciadas* in Madrid (www.separadasydivorciadas.org) in 2012.

Please note that one out of every three women, or almost 1 billion women around the world experience domestic abuse during their lifetime, with the following global consequences and health-related issues:

- 40-70% of women murdered each year are killed by intimate partners³
- Over 64 million women each year suffer intentional and unintentional injuries⁴
- Over 100 million women each year suffer from neuropsychiatric disorders⁵
- Over 100 million maternal and perinatal conditions and complications occur⁶
- 20 million people are victims of human trafficking⁷
- Widespread sexual harassment and bullying in the work-place, schools, and communities

In the past decades governments and their agencies around the world have developed laws, action plans, and protocol, along with unending political rhetoric and promises, to protect victims of domestic abuse and violence. The challenge at present, and where government agencies must concentrate their efforts, is the application and implementation of these laws, plans, protocol, and rhetoric. That is all I am, and have been proposing in the past 6 years to all implicated parties.

To this end, I hope that the US Department of State will comply with their obligation under national⁸ and international law⁹ at this time, and assist me in defending me and my children's rights. As stated previously, at present I am hereby and officially requesting assistance in the following:

- 1) Recuperation of all court documents in regards to my case (which I request be scanned in the American Consul in Madrid and sent to me via email as the most economic and fastest possibility)
- 2) The American Consulate in Madrid transmit my offer for a financial settlement of €30 million for financial damages to me personally as well as my company, Global Expats in the past 6 years

³ *Women and Health : Today's Evidence Tomorrow's Agenda*, World Health Organization 2009, p. 56.

⁴ *WHO Global Burden of Disease 2004 Report*, p. 64 – World Health Organization

⁵ *WHO Global Burden of Disease 2004 Report*, p. 62 – World Health Organization

⁶ *WHO Global Burden of Disease 2004 Report*, p. 60 – World Health Organization

⁷ *Remarks by the President to the Clinton Global Initiative*, September 25, 2012 (www.whitehouse.gov/the-press-office/2012/09/25/remarks-president-clinton-global-initiative)

⁸ (1) Article 5 of the Vienna Convention on Consular Relations
(2) 22 U.S.C. 1731 Protection of Naturalized Citizens Abroad
(3) 22 U.S.C. 2715 Procedures Regarding Major Disasters and Incidents Abroad Affecting United States Citizens
(4) 22 U.S.C. 2715a Provision of Information on Certain Violent Crimes Abroad to Victims and Victims' Families
(5) 22 U.S.C. 3904(1) Functions of Service
(6) 22 CFR 71.1 Protection of Americans Abroad
(7) 22 CFR 71.6 Services for Distressed Americans
(8) Federal Tort Claims Act

⁹ (1) Universal Declaration of Human Rights
(2) Convention on Political and Civil Rights
(3) International Covenant on Economic, Social and Cultural Rights
(4) Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
(5) Declaration on the Elimination of Violence against Women
(6) International Convention on the Elimination of All Forms of Racial Discrimination, inter alia
(7) *Gonzales vs. USA*, 2011, inter alia

- 3) Upon failure to arrive at an equitable and acceptable settlement with legal counsel in Spain, that the American Consulate/Embassy in Madrid and US Department of State in Washington, DC officially request¹⁰ that the *Colegio de Abogados*, *Defensor del Pueblo*, and *Consejo General del Poder Judicial* in Spain investigate the facts of my case holding all responsible parties to the highest standards and letter of the law. And, that the *Colegio de Abogados* diligently examine my petition for reparations from negligent legal counsel in my case.

Sincerely,



Quenby Wilcox

Founder – Global Expats

Quenby@global-xpats.com

www.global-xpats.com

¹⁰ Under the following:

- (1) Article 5 of the Vienna Convention on Consular Relations
- (2) 22 U.S.C. 1731 Protection of Naturalized Citizens Abroad
- (3) 22 U.S.C. 2715 Procedures Regarding Major Disasters and Incidents Abroad Affecting United States Citizens
- (4) 22 U.S.C. 2715a Provision of Information on Certain Violent Crimes Abroad to Victims and Victims' Families
- (5) 22 U.S.C. 3904(1) Functions of Service
- (6) 22 CFR 71.1 Protection of Americans Abroad
- (7) 22 CFR 71.6 Services for Distressed Americans
- (8) Federal Tort Claims Act
- (9) Universal Declaration of Human Rights
- (10) Convention on Political and Civil Rights
- (11) International Covenant on Economic, Social and Cultural Rights
- (12) Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power
- (13) Declaration on the Elimination of Violence against Women
- (14) International Convention on the Elimination of All Forms of Racial Discrimination, inter alia
- (15) Gonzales vs. USA, 2011, inter alia



United States Department of State

Washington, D.C. 20520

March 11, 2013

Dear Ms. Wilcox,

Thank you for your e-mail requests for additional assistance from the U.S. Consulate General in Barcelona, Spain.

We understand that it must be stressful to be involved in a legal dispute with such important and lasting ramifications. Please be advised that U.S. government may not intervene in the private legal matters of U.S. citizens in foreign or domestic courts. In fact, we are prohibited by federal regulations from acting as attorneys or agents or in any fiduciary capacity in 22 CFR 92.

If you would like to consult additional legal representation, the U.S. Embassy in Madrid maintains a list of attorneys by region and specialization on its website. You can find that list at: <http://madrid.usembassy.gov/citizen-services/professional-services/attorneys2.html>. This list is broken down by legal specialty and location. You may also wish to read further general information on matters of judicial assistance abroad and retaining a foreign attorney on our webpage, travel.state.gov at http://travel.state.gov/law/retain/retain_714.html and http://travel.state.gov/law/judicial/judicial_684.html.

We trust this information will be helpful to you. If you need additional assistance, please contact Christine Fagan, Chief of American Citizens Services at the U.S. Embassy in Madrid at (34) 91 587 2240.

Sincerely,

Joyce W. Namde
European Division Chief
Office of American Citizens Services
and Crisis Management

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President Barak Obama
The White House
1600 Pennsylvania Ave.
Washington, DC 20006

March 4, 2013

RE: Domestic abuse as a human rights violation, and a State's obligation to protect

Dear President Obama,

The US government and US State Department are continually espousing their commitment to combating and ending violence and discrimination against women, promoting democratic principles worldwide, and protecting human rights and labor rights around the world.^{i ii} However, when it comes to American women living overseas and the US State Department, Consular Affairs Division's day-to-day operations, the rhetoric does not translate into reality.

As so many advocates, I have become aware of and involved in the issues due to my own personal experience as a victim of domestic abuse, and re-victimization by the very judicial systems (in Spain) which have a duty and obligation under international human rights law to protect me and my children.¹

The US State Department estimates that 5.25 million Americans reside abroad, with 650,000 women and children at risk of becoming victims of domestic abuse and violence.² In 2012 the American Overseas Domestic Violence Crisis Center (AODVC – www.866uswomen.org) handled 3005 crisis calls, emails & live chats directly from, or on behalf of 547 victims (544 females, 3 males) in 57 countries (UK, Canada, Costa Rica, Turkey, Russia, UAE, Germany, Pakistan, Switzerland, Croatia, being the most frequent.) Ninety-nine of these cases were affected by the Hague Convention on International Child Abduction, which represents 29% of incoming Hague abduction cases handled by the Office of Child's Issues of the US State Department in 2012. At year-end of 2012 AODVC was handling 124 on-going cases.

¹ All documents pertaining to my case are posted on <http://worldpulse.com/user/2759/journal>

² Extrapolated from estimates in *Women and Health: Today's Evidence Tomorrow's Agenda*, World Health Organization 2009, p. 56.

As reported by the Hague Convention Domestic Violence Project (www.haguedv.org/reports) 70% of women involved in international child abduction cases under the Hague Convention are fleeing domestic abuse and the failure of judicial systems to protect them and their children. *Abbott vs. Abbott* (2010) (www.supremecourt.gov/opinions/09pdf/08-645.pdf) brought these issues to the attention of the US Supreme Court.

Between 2010-2012 the Office of Child's Issues, Consular Division of the US State Department handled 890 incoming Hague Convention on international child abduction cases, with up to 70%, or 623 cases,³ potentially involving a protective parent fleeing domestic abuse and a Receiving State's failure to protect. While I have been unable to obtain figures from the US State Department on the annual budget for the Office of Child's Issues, the 2012 budget for "Strengthening Consular and Management Capabilities" was \$3.75 billion.⁴ Effectively, millions of dollars per year of the Consular Affairs Division's budget (US taxpayer money) are used in supporting the on-going abuse of thousands of Americans,⁵ while none of their resources are being used to assist the victims.

Abusers are well aware of the criminal implications, the stringent sanctions, and incarceration of those who resort to international child abduction, and are freely and frequently using the Hague Convention as a tool to intimidate and abuse their victims. They do so knowing full well that victims will not be assisted by Receiving State's judicial and law enforcement systems, nor will they be assisted by Sending State's Consulates, consular affairs division in Sending State's headquarters, or Sending State's judicial system, which are plagued by the same "failure to protect" due to the same "lack of diligence" as in the Receiving State.

In my own case not only did my ex-husband repeatedly assure me from the onset that I would be left penniless and incarcerated (prison or psychiatric facility); claiming that all "*had been planned.*" At the time, I thought his contention was just another example of his schizophrenic, hallucinatory state. But, statistics and documented testimonies show that this is an increasing phenomenon amongst victims of domestic abuse. In my own case all of my assets were illegally misappropriated by the courts and the negligence of my legal counsel, with my incarceration a very real possibility on several occasions.

Then, when I confronted my lawyers (recommended on the American Embassy website) with their overt negligent actions and the violation of my rights, I was always told "*Lady, we do this all the time. Who are you going to tell?*" And, effectively my petitions to the *Defensor del Pueblo*, *Consejo General del Poder Judicial* and *Instituto de Mujer* for an investigation into my case and allegations were totally ignored, even though the professional and criminal negligence of implicated

³ The Office of Child's Issues does not compile or retain gender statistics in its reporting of incoming or outgoing cases. Therefore, I have used the common and repeatedly reported rate of 70% for "State failure to protect" (Amnesty International, American State Bar Associations, inter alia)

⁴ Consolidating Schedule of Net Costs, US Department of State Fiscal Year 2012 Agency Financial Report, p. 116

⁵ Each year the Office of Child's Issues deals with an average of 300 incoming cases with abused children, which are then condemned to living with the abusive parent for 10-16 years +. (My own children are 19 and 21, but until they are financially self-sufficient, or until I am financially solvent, they cannot defy their father's order to have no contact with me.)

parties is well detailed, documented, and argued (posted on <http://worldpulse.com/node/52011> and <http://worldpulse.com/node/50602>, respectively.)

The culture of “*laissez faire*” and silencing of victims, apathy of law enforcement and judicial actors towards the plight of victims, failure of judicial regulatory agencies to diligently investigate complaints & sanction infractions of judicial actors, coupled with consular affairs representatives’ non-compliance with art. 5, 36, 37 & 38 of the Convention on Consular Relations and FAM guidelines (victims of crimes/domestic abuse), inter alia, provide the motive, opportunity, and means for abusers to utilize judicial systems and government institutions to freely and overtly continue abusing and harassing their victims.⁶

Of additional importance for the US government and White House, as my particular case demonstrates, is how American entrepreneurs in their business dealings abroad are open to corruption and discrimination in foreign courts. And, how the lack of due diligence by, and apathy of, US State Department officials permit unfair trade practices and misappropriation of American assets by foreign courts.

As the American Consulate in Madrid has been aware from the beginning of my case, the escalation of violence and threats upon my life by my ex-husband’s were caused by my desire and efforts to provide financial independence for me and my children. My company, Global Expats (www.global-expats.com) is modeled after the Federation of American Women’s Clubs Overseas (FAWCO), but is a revenue-generating entity which remunerates its *trailing spouse* managers and employees, as well as assistants them in career maintenance and entrepreneurial efforts. Revenues are generated from a networking/local search-city guide global website with estimate lost opportunity costs at \$200 million to date (see enclosed.)

The disinterest and negligence of the American Consulate in Madrid and US State Department, Office of American Citizen Services and Crisis Management in Washington, DC in the past 6 years, has not only been responsibility for millions of dollars in lost revenues of my company, but has prevented the creation of hundreds of jobs of American women living abroad.

International organizations such as the IMF,⁷ World Bank,⁸ and United Nations⁹ are increasingly examining the link between corruption and the present economic crisis. My case provides a perfect

⁶ The traditions and customs that for centuries have been used to silence dissent against government abuses of power are being used to silence the dissent of women and children who defy and denounce the abuses of power within the home.

⁷ Factsheet - The IMF and Good Governance (www.imf.org/external/np/exr/facts/gov.htm), Improving Governance and Fighting Corruption (www.imf.org/external/pubs/ft/issues/issues21/index.htm), Corruption and Development (<http://www.imf.org/external/pubs/ft/fandd/1998/03/pdf/gray.pdf>), Roads to Nowhere: How Corruption in Public Investment Hurts Growth (<http://www.imf.org/external/pubs/ft/issues12/index.htm>), Economic Issues No. 6 -- Why Worry About Corruption? – IMF (www.imf.org/external/pubs/ft/issues6/index.htm)

⁸ Corruption and Economic Development (<http://www1.worldbank.org/publicsector/anticorrupt/corruptn/cor02.htm>), World Bank Institute (<http://wbi.worldbank.org/wbi/topic/governance>), Measuring and reducing the impact of corruption in infrastructure (<http://documents.worldbank.org/curated/en/2006/12/7269830/measuring-reducing-impact-corruption-infrastructure>), Anti-corruption policies and programs : a framework for evaluation (<http://documents.worldbank.org/curated/en/2000/12/748708/anti-corruption-policies-programs-framework-evaluation>), The silence of corruption : identifying underreporting of business corruption through randomized response techniques

case-study on how and why widespread corruption in the courts impedes economic growth and entrepreneurial development, and the role negligent governance by regulatory agencies is playing in promoting judicial corruption.¹⁰

In order to effectively protect and promote the interests of Americans living abroad, it is imperative that American Embassies and Consulates abroad comply with the guidelines in U.S. Department of State Foreign Affairs Manual Volume 7 - Consular Affairs (FAM), and utilize their prerogatives provided for in art. 5, 36, 37 & 38 of the Convention of Consular Affairs, and other international treaties, in assuring due process and respect for the rights of American citizens in foreign jurisdictions.

I hope by bringing these issues to the attention of the White House, your administration will take positive action in assuring that the US State Department reassess their policy of non-compliance with FAM, the Convention on Consular Affairs, and other international treaties which provide them with the power and authority to promote and defend the interests and rights of Americans living abroad.

I thank you in advance for your time and consideration. Please feel free to contact me at Quenby@global-xpats.com or (202) 213-4911 with any questions or requests for additional information.

Sincerely,

(<http://documents.worldbank.org/curated/en/2011/06/14420546/silence-corruption-identifying-underreporting-business-corruption-through-randomized-response-techniques>), A trio of perspectives on corruption : bias, speed money and "grand theft infrastructure" (<http://documents.worldbank.org/curated/en/2011/11/15505870/trio-perspectives-corruption-bias-speed-money-grand-theft-infrastructure>), Social marketing strategies to fight corruption (<http://documents.worldbank.org/curated/en/1998/01/440233/social-marketing-strategies-fight-corruption>), Corruption and development (<http://documents.worldbank.org/curated/en/1998/05/438765/corruption-development>), Enrichment with growth (<http://documents.worldbank.org/curated/en/2011/10/15348701/enrichment-growth>), Building public support for anti-corruption efforts : why anti-corruption agencies need to communicate and how (<http://documents.worldbank.org/curated/en/2010/01/12204776/building-public-support-anti-corruption-efforts-anti-corruption-agencies-need-communicate>), An analysis of the causes of corruption in the judiciary (<http://documents.worldbank.org/curated/en/1999/08/437874/analysis-causes-corruption-judiciary>), Corruption in economic development - beneficial grease, minor annoyance, or major obstacle? (<http://documents.worldbank.org/curated/en/1999/02/438609/corruption-economic-development-beneficial-grease-minor-annoyance-or-major-obstacle>), Experiments in culture and corruption : a review (<http://documents.worldbank.org/curated/en/2012/05/16259932/experiments-culture-corruption-review>)

⁹ Corruption and the Global Economy (<http://mirror.undp.org/magnet/Docs/efa/corruption/Chapter02.pdf>), The Cost of Corruption (www.un.org/events/10thcongress/2088b.htm), Organized Crime - United Nations Office on Drugs and Crime (www.unodc.org/unodc/en/organized-crime/index.html), United Nations Convention against Corruption (<http://www.unodc.org/unodc/en/treaties/CAC/>), Struggle against Organized Crime, Corruption, Drug Trafficking (www.un.org/News/Press/docs/2010/gashc3975.doc.htm), Fighting Transnational Organized Crime - the United Nations (www.un.org/events/10thcongress/2088f.htm), The study to examine the links between organised Crime and Corruption (<http://ec.europa.eu/>)

¹⁰ The importance of the role that government agencies play in assuring transparency, integrity and accountability of the industry it regulates is clearly demonstrated in *Governance of Financial Supervisors and its Effects – A Stocktaking Exercise* by Marc Quintyn <http://ideas.repec.org/b/erf/erfstu/47.html>.



Quenby Wilcox

Founder – Global Expats

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cc¹¹: US Secretary of State John Kerry, US State Department

Ambassador Janice L. Jacobs, Assistant Secretary, Consular Affairs, US State Department

Jim D. Pettit, Deputy Assistant Secretary, Overseas Citizens Services, US State Department

Michael H. Posner, Assistant Secretary, Bureau of Democracy, Human Rights and Labor, US State Department

Stephen J. Rapp, Ambassador-at-Large, Office of Global Criminal Justice, US State Department

Beth Van Schaack, Deputy, Office of Global Criminal Justice, US State Department

Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management

Joanne Hunter, Office of American Citizen Services and Crisis Management

Ambassador Alan D. Solomont, Embassy of the United States Spain

Peggy Gennatiempo, General Consul, Embassy of the United States Spain

ⁱ ***US State Department »Under Secretary for Civilian Security, Democracy, and Human Rights »
Bureau of Democracy, Human Rights, and Labor » Human Right
www.state.gov/j/drl/hr/index.htm***

The protection of fundamental human rights was a foundation stone in the establishment of the United States over 200 years ago. Since then, a central goal of U.S. foreign policy has been the promotion of respect for human rights, as embodied in the Universal Declaration of Human Rights. The United States understands that the existence of human rights helps secure the peace, deter aggression, promote the rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises.

Because the promotion of human rights is an important national interest, the United States seeks to:

- **Hold governments accountable to their obligations under universal human rights norms and international human rights instruments;**
- *Promote greater respect for human rights, including freedom from torture, freedom of expression, press freedom, women's rights, children's rights, and the protection of minorities;*
- **Promote the rule of law, seek accountability, and change cultures of impunity;**
- *Assist efforts to reform and strengthen the institutional capacity of the Office of the UN High Commissioner for Human Rights and the UN Commission on Human Rights; and*
- *Coordinate human rights activities with important allies, including the EU, and regional organizations.*

The Bureau of Democracy, Human Rights, and Labor (DRL) applies three key principles to its work on human rights:

- 1. DRL strives to learn the truth and state the facts in all of its human rights investigations, reports on country conditions, speeches and votes in the UN, and asylum profiles*
- 2. DRL takes consistent positions concerning past, present, and future abuses. With regard to past abuses, it actively promotes accountability.*
- 3. DRL forges and maintains partnerships with organizations, governments, and multilateral institutions committed to human right.ⁱ*

***U.S. Human Rights Commitments and Pledges
Bureau of Democracy, Human Rights, and Labor
Washington, DC - April 16, 2009
www.state.gov/j/drl/rls/fs/2009/121764.htm***

We are dedicated to combating both overt and subtle forms of racism and discrimination internationally. The United States is party to the International Covenant on the Elimination of All Forms of Racial Discrimination, and is

¹¹ Posted on <http://worldpulse.com/node/64031>

committed to seeing the goals of this covenant fully realized. Particular emphasis should be placed not only on eliminating any remaining legal barriers to equality, but also on confronting the reality of continuing discrimination and inequality within institutions and societies.

**Patrick F. Kennedy, Under Secretary for Management, US State Department,
Statement to the Senate Committee on the Judiciary
Advantages to the USA in complying with the
Convention of Consular Affairs in their assistance to American's living abroad**

- The protection of U.S. citizens abroad ranks among the Secretary's and the Department's absolute highest priorities
- Without guaranteed consular assistance, Americans cannot travel the world freely, safely, and with peace of mind
- When a U.S. citizen finds him or herself in a foreign government's custody, a consular officer is often the best, and sometimes only, resource that citizen has as he or she navigates a foreign legal system
- We find these services especially critical in countries that do not respect due process of law and fundamental rights
- Ensuring compliance with our legal obligations is essential to our foreign relations and close bilateral relationships
- Our treaties are critical to protecting U.S. sovereign interests... facilitate our businesses' international economic relationships.
- Chief Justice Roberts' opinion for the Court recognized that judgment as a binding international legal obligation, and agreed that the United States' interests in observance of the Vienna Convention, in protecting relations with foreign governments, and in demonstrating commitment to the international rule of law through compliance with that judgment were —plainly compelling

United States Strategy to Prevent and Respond to Gender-based Violence Globally

"We also know that countries are more likely to prosper when they tap the talents of all their people. And that's why we're investing in the health, education and rights of women, and working to empower the next generation of women entrepreneurs and leaders. Because when mothers and daughters have access to opportunity, that's when economies grow, that's when governance improves." – President Barack Obama, Remarks at the Millennium Development Goals Summit, United Nations Headquarters, New York, New York, September 22, 2010

"Around the globe, violence against women is an epidemic. Violence robs women and girls of their full potential and causes untold human suffering. Violence against women impedes economic development, threatens peace and prosperity, and inhibits full participation in civic life. For every woman who has been beaten in her own home, for the millions of women who have been raped as a weapon of war, for every girl who has been attacked on her way to school, for all of the children—girls and boys—who have witnessed this brutality, we must do better." – Vice President Joe Biden, Statement on the Anniversary of the International Day for the Elimination of Violence Against Women, November 24, 2010

"It is time for all of us to assume our responsibility to go beyond condemning this behavior, to taking concrete steps to end it, to make it socially unacceptable, to recognize it is not cultural; it is criminal." – Secretary of State Hillary Clinton, Remarks on the Adoption of a United Nations Security Council Resolution to Combat Sexual Violence in Armed Conflict, United Nations Headquarters, New York, New York, September 30, 2009

ⁱⁱ Mechanisms to Prevent and Respond to Gender-based Violence

www.state.gov/documents/organization/196468.pdf

The Department of State will employ various mechanisms to ensure a coordinated process for enhanced intra- and inter-agency coordination on addressing gender-based violence. The mechanisms outlined below mirror the framework detailed in the Secretary's Policy Guidance on Promoting Gender Equality, and will be integrated across existing coordinating bodies on gender issues, both in Washington and within embassies and missions.

Strategic and Budget Planning

Under the Secretary's Policy Guidance, relevant Department of State bureaus and embassies will develop strategies to promote gender equality and advance the status of women and girls across geographic regions and functional bureaus. Bureau and country strategies to address gender issues will be developed as part of the Department of State's ongoing strategic planning and budgeting process. Strategies will be grounded in analysis of existing inequalities and focused on action items that the Department and embassies can advance in both near-term and longer-term timeframes. To implement the strategy on gender-based violence, the Department of State will:

Review relevant functional bureau strategic plans to ensure that gender-based violence is adequately addressed; and

Request that relevant regional bureaus and embassies include specific gender-based violence issues within their strategic plans, as applicable to specific country or regional contexts.

Guided by newly-revised definitions and guidance to bureaus and embassies, current budget processes have been strengthened to more accurately represent budget levels for the following Key Issue areas: gender equality/women's empowerment (both primary and secondary attribution), gender-based violence, and women, peace, and security. The process informs the annual Congressional Budget Justification in these critical areas and serves to advance gender equality through both direct and integrated approaches. United States Strategy to Prevent and Respond to Gender-based Violence Globally 31

Policy and Programming

Embassies and bureaus will strive to ensure that the full range of U.S. policy and assistance programming identifies and addresses existing gender disparities, capitalizes on the unique skills and contributions of women and girls, and is accessible and responsive to ongoing challenges confronted by women and girls. In order to further this agenda on issues specific to gender-based violence, the Department of State will: Establish an intra-agency working group, consisting of representatives from a wide range of bureaus and offices across the Department, to assist in internal coordination and integration of gender-based violence prevention and response in Department programming and policies.

The working group will share information and establish priorities, as well as coordinate existing policies and programs to eliminate gaps and effectively maximize existing resources.

Through existing policy and diplomatic mechanisms and programming, including the Secretary's International Fund for Women and Girls and S/GWI, the Department of State will: Advocate for development and implementation of laws and policies in other countries to monitor, prevent, and respond to gender-based violence. This includes work to strengthen institutions and support partner governments' efforts to develop appropriate legislation, harmonize laws and other provisions in the legal code, develop action plans for implementation, and help train oversight of and advocacy for implementation of the laws; Support capacity-building of and outreach to civil society, including the media, criminal justice sector, and health providers; Support civil society and community-level approaches to change behaviors and attitudes concerning violence and to facilitate discussion among families, community organizations, and religious, traditional, and other community leaders around human rights and gender-based violence, and effective ways to address these issues. Through these community level approaches, the Department will aim to target and engage:

- Men and boys;*
- Female leaders and women's groups;*
- Religious, faith-based, and community leaders; and*
- Youth*

Build off existing platforms (GHI, PEPFAR, etc.) and scale up programs that have been found effective, contingent on resources. This could include programs that integrate screening of and response to gender-based violence into health service delivery programs, as well as psychosocial support where feasible; or programs that require health and life skills programming for adolescent and pre-adolescent girls and boys, for example to address sexual coercion and abuse and promote elements of healthy relationships; Establish multi-sector linkages regarding violence prevention and response programs, with particular attention to the legal/judicial system and the education and economic sectors; and Address the causes, including root causes, of gender-based violence, especially violence against women and girls. This includes reducing barriers between women and men and girls and boys in economic, political, and civic arenas and implementing initiatives that protect human rights and raise societies' respect and value for all women and girls, including inclusive education and economic empowerment opportunities.



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Valerie Jarrett
Senior Advisor to the President
Chair of the White House Council on Women and Girls
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20520

March 17, 2013

RE: American Living Abroad in Cases of Domestic Abuse and the US State Department's Obligation to Assist under American and International Law

Dear Ms. Jarrett,

With the 57th session of the *Commission on the Status of Women* convening this month, and the elimination and prevention of violence against women at its fore-front, I would like to take the opportunity to bring several issues to the attention of the *White House Council on Women and Girls*.

Efforts of organizations and individuals across the globe in the past 40 years have done much to bring awareness to gender-based violence and discrimination against women in societies around the world, with initiatives focused on:

- Passage of national legislation and international treaties
- Creation of government and non-government organizations whose mission is to advance the rights of women and assist victims of domestic violence
- Publically funded, awareness and publicity campaigns
- Access to higher-education and work opportunities for women outside of the home
- Access to reproductive health-care and contraceptives

However, what these initiatives fail to recognize or address are to what extent the deeply rooted and entrenched customs and traditions in a society sustain and encourage violence and abuses of power (visible and invisible) in the community.

These initiatives work under the assumption that individuals in a society will voluntarily and automatically change their actions, opinions, biases and/or the basic tenants under which they live. The continual lack of analysis and re-evaluation of the effectiveness, and results these initiatives produce in a society, from an intersectional perspective, is sorely lacking in government based studies, reports, and political rhetoric.

For example, a widespread government initiative in response to domestic violence has been the criminalization of these acts. But, a common response in countries around the world has been court biases that silence victims. Women who denounce the abuse and their abusers are labeled liars, “mentally-deranged,” and/or “gold-diggers,” seeking to gain an advantage in financial settlements and custodial decisions during divorce. Statistics show that judges do not even consider domestic abuse in their deliberations, and are awarding custody to fathers at a rate of 94%, dropping to 70% in cases of physical and sexual abuse of children.

Another frequent problem society’s are encountering, as domestic violence becomes socially unacceptable, is that physical violence from one generation is replaced by heightened psychological abuse in the next generation. Unfortunately, awareness campaigns and social perceptions of abuse focus only on extreme physical and sexual violence. The damage psychological abuse does to its victims is not even considered significant or relevant, even though all victims attest (and studies show) that psychological scars are the most profound, damaging, and lasting.

Even government initiatives such as the *Hague Convention on International Child Abduction* and its coverage in the press are exposing biases towards fathers in our societies. Statistics are reflecting failure rates in family courts to be 70-90% globally, with almost 70% of the women involved in international child abduction fleeing domestic abuse and the failure of judicial systems to protect¹. However, this phenomenon is receiving no coverage in the press, while the plight of “left behind fathers” is getting extensive exposure. Additionally, Congressional support of the *Hague Convention on International Child Abduction*, coupled with extensive assistance offered by the *Office of Children’s Issues/US State Department* to petitioning parents, demonstrate a bias by the US government of abusers’ rights over victims’ rights, and *de facto* discrimination against women.

In my own personal dealing with the *US State Department, Consular Affairs Division*, I have repeatedly been told that American victims of domestic abuse living abroad, experiencing problems with judicial systems (and their failure to protect,) are “private matters” and “civil disputes.” The US State Department’s policy of non-assistance² to American expatriated victims of abuse is clearly in violation of international law.³ Under this situation, in accordance with international law, the US government potentially becomes responsible for human rights violations even when those violations occur in a foreign jurisdiction.

In your capacity as Chair of the White House Council on Women and Girls and Senior Advisor to the President I request that you encourage the *Consular Affairs Division* of the US State Department to:

¹ US Supreme Court case *Abbott vs. Abbott* and Hague Convention Domestic Violence Project (www.haguedv.org.)

² as provided for under the Convention of Consular Relations

³ as established in *Gonzales vs. USA*, 2011, Inter-American Commission on Human Rights, *inter alia*

- Thoroughly review recent reports and statistics regarding the elevated rate of “taking persons” (apx. 70%) involved in international child abduction under the Hague Convention, who are fleeing domestic abuse and the failure to protect of Receiving States. (For your convenience please find a list of informative resources after the closure of this letter.)
- Rescind their policy of non-assistance to American expatriated citizens in cases of domestic abuse, divorce and/or custodial procedures, and under this policy their non-compliance with the Convention of Consular Relations (calling attention to art. 5⁴ and 36⁵ - see “*detained in any manner*” which applies to these cases due to the inability of minor children to leave a Receiving States in cases of a court *ne exeat* order⁶, and/or any provision of domestic law requiring dual parental permission of “exit,” as well as cases involving the retention of assets, by the courts, a spouse, any trustee, and/or negligence of legal counsel thereby preventing said person’s ability to travel.)
- Examine and take positive action to reverse the *de facto* discrimination against women, produced by the Consular Affairs Division’s policy of substantial assistance to

⁴ Art. 5 - Consular functions consist in:

(a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;

(h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons;

(i) subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;

(j) transmitting judicial and extrajudicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;

(m) performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.”

⁵ Article 36 - Communication and contact with nationals of the sending State

1. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:

(a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;

(b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this subparagraph;

(c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgement. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he expressly opposes such action.

2. The rights referred to in paragraph 1 of this article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this article are intended.

⁶ US Supreme Court Case Abbott vs. Abbott

“applicants”⁷, but refusal of assistance to American victims of domestic abuse residing outside of the United States, whereas the failure of Receiving State’s judicial system to “protect,” and/or respect and uphold the rights of victims is documented at rates of 70+%.

I hope by bringing these issues to the attention of the *White House Council on Women and Girls* the Department of State & US government and its agencies will be encouraged to work with organizations across the globe who are developing programs, initiatives and protocol which promote good practices, transparency, and accountability within judicial systems and family courts. In this way not only can the promotion of democratic principles and practices be advanced worldwide, but violence and discrimination against women may be effectively and comprehensively eradicated.

Global Expats whole-heartedly supports the participation of both spouses in child-rearing and the growing phenomenon of male-homemaker/female bread-winner (or same sex) households. We recognize that promoting equality of the sexes in any society means a changing role for both men and women in socio-economic structures. We are also well aware of the complications and challenges that globalization presents to the family, and how those stressors may serve as a catalyst for separations, divorce and/or domestic abuse.

Our mission is to assure that expatriated families are provided with all of the tools necessary for a successful expatriation, building strong family ties and healthy, productive relationships. Our goal is to prevent dynamics that produce ruptures or abusive relationships within the home, with a focus on early detection and proper prevention, rather than crisis management. However, we are firm in the conviction that the interests of children, meaning their safety, security, and well-being is of primary and utmost concern, and is an obligation and duty of all parties concerned.

I thank you in advance for your time and consideration, and remain entirely at the disposition of you or your staff for any questions or clarifications.

Sincerely,



Quenby Wilcox

Founder – Global Expats

Quenby@global-xpats.com

www.global-xpats.com

LIST OF RESOURCES:

1. Hague Convention Domestic Violence Project - www.haguedv.org

⁷ Hague Convention on International Child Abduction

2. *DV Leap – George Washington University Legal Clinic* - www.dvleap.org
3. *The Leadership Council* - www.leadershipcouncil.org
4. **Submission to the United Nations Commission on the Status of Women** - <http://worldpulse.com/node/55730> (with extensive reports by Amnesty International and United Nations Commissions included in research material.)
5. **National Safe Child Coalition** - www.nationalsafechildcoalition.com

Enclosure⁸: President Barak Obama, the White House

US Secretary of State John Kerry, US State Department

US State Department - Patrick F Kennedy - Under Secretary Management

Ambassador Alan D. Solomont, Embassy of the United States Spain

US State Department - Joyce Namde - European Division Director – Office of American Citizen Services and Crisis Management

Complaint against the Spanish judicial system and family courts, Commission on the Status of Women, United Nation

⁸ With all referenced documents within posted on <http://worldpulse.com/node/64031>



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The Honorable John Kerry
US Secretary of State
US State Department
2201 C Street NW
Washington, DC 20520

February 26, 2013

RE: Domestic abuse as a human rights violation, and a State's obligation to protect

Dear Mr. Secretary Kerry,

I am contacting you regarding an issue that is receiving increasing awareness amongst communities around the world; domestic abuse and violence as a human rights violation and a State's obligation to protect under the principle of due diligence, as established by the Inter-American Commission on Human Rights, *Gonzales vs. USA* and *Velasquez vs. Honduras*, and the European Courts of Human Rights in *A vs. UK*.

Under international law, a State may be responsible for acts of violence against women committed by non-state actors if it fails with due diligence to prevent, stop and investigate acts of violence, punish perpetrators and provide compensation to the victims, as specified in General Recommendation 19 (1992) of the Committee on the Elimination of Discrimination against Women. The legal concept of due diligence clarifies the responsibility of States to make women's rights a reality. This responsibility is enshrined within the established requirement of exercising due diligence to respect, protect, fulfill and promote human rights. Exercising due diligence includes actions with respect to prevention, investigation of violations of human rights that have occurred and prosecution of perpetrators through fair proceedings. It also requires that adequate reparations be made to victims, including compensation, justice and 'rehabilitation'.¹

Decreasing the prevalence of violence against women requires challenging its acceptance, especially the many ways in which victims/survivors are blamed and perpetrators excused, transforming the diverse cultures of complicity and impunity across the globe.

¹ "Good Practices in Combating and Eliminating Violence Against Women" Expert Group Meeting Organized by: United Nations Division for the Advancement of Women in collaboration with United Nations Office on Drugs and Crime 17 to 20 May 2005 Vienna, Austria, p.4.

*The failure of justice systems across the globe to effectively charge, investigate and prosecute human rights violations against women and girls has resulted in a system of global impunity for perpetrators, which must be urgently addressed.*²

*The right not to be abused must be absolute. States have the responsibility to address all violations of women's human rights that take place on their territory and/or are committed by [or against] their citizens in extra-territorial contexts.*³

One out of every three women, or almost 1 billion women around the world, experiences domestic abuse during her life-time, with the following global consequences and health-related issues:

- 40-70% of women murdered each year are killed by intimate partners⁴
- Over 64 million women each year suffer intentional and unintentional injuries⁵
- Over 100 million women each year suffer from neuropsychiatric disorders⁶
- Over 100 million maternal and perinatal conditions and complications occur⁷
- 20 million people are victims of human trafficking⁸
- Widespread sexual harassment and bullying in the work-place, schools, and communities

The enormity of the problem and its detrimental effects on societies around the world are of epic proportions, and can no longer be considered “private matters” or “civil disputes” by law enforcement officials, judicial tribunals, or government and non-government agencies.

As my own case and research⁹ demonstrates, until and unless judicial actors are held accountable for their failure to execute their duties and obligations as provided for under the law, progressive laws, government promises, and millions of dollars spent on awareness and action campaigns will be totally ineffective in eradicating domestic abuse and violence.

The US government and US State Department are continually espousing their commitment to combating and ending violence and discrimination against women, promoting democratic principles worldwide, and protecting human rights and labor rights around the world.^{i ii} However, when it

² "Good Practices in Combating and Eliminating Violence Against Women" Expert Group Meeting Organized by: United Nations Division for the Advancement of Women in collaboration with United Nations Office on Drugs and Crime 17 to 20 May 2005 Vienna, Austria, p 12.

³ "Good Practices in Combating and Eliminating Violence Against Women" Expert Group Meeting Organized by: United Nations Division for the Advancement of Women in collaboration with United Nations Office on Drugs and Crime 17 to 20 May 2005 Vienna, Austria, p.3.

⁴ *Women and Health : Today's Evidence Tomorrow's Agenda*, World Health Organization 2009, p. 56.

⁵ *WHO Global Burden of Disease 2004 Report*, p. 64 – World Health Organization

⁶ *WHO Global Burden of Disease 2004 Report*, p. 62 – World Health Organization

⁷ *WHO Global Burden of Disease 2004 Report*, p. 60 – World Health Organization

⁸ *Remarks by the President to the Clinton Global Initiative*, September 25, 2012 (www.whitehouse.gov/the-press-office/2012/09/25/remarks-president-clinton-global-initiative)

⁹ Reports (*Domestic Abuse as a Human Rights Violation and the Principle of Due Diligence - Spain a Case Study*, *Abuses of Power in Our Societies and Court Systems*, and *Sexual Abuse of Children and the Failure of Family Courts to Protect* by Quenby Wilcox,) official complaints to Spanish government agencies (*Defensor del Pueblo*, *Consejo General del Poder Judicial*, and *Instituto de Mujer* in regards to *González de Alcalá vs. Wilcox – juzgado de Mostoles* and legal counsel of Quenby Wilcox) with supporting documentation is posted on <http://worldpulse.com/user/2759/journal> and <http://worldpulse.com/user/2759/journal?page=1>

comes to American women living overseas and the US State Department, Consular Affairs Division's day-to-day operations, the rhetoric does not translate into reality.

As so many advocates, I have become aware of and involved in the issues due to my own personal experience as a victim of domestic abuse, and re-victimization by the very judicial systems (in Spain) which have a duty and obligation under international human rights law to protect me and my children.¹⁰

The US State Department estimates that 5.25 million Americans reside abroad, with 650,000 women and children at risk of becoming victims of domestic abuse and violence.¹¹ In 2012 the American Overseas Domestic Violence Crisis Center (AODVC – www.866uswomen.org) handled 3005 crisis calls, emails & live chats directly from, or on behalf of 547 victims (544 females, 3 males) in 57 countries (UK, Canada, Costa Rica, Turkey, Russia, UAE, Germany, Pakistan, Switzerland, Croatia, being the most frequent.) Ninety-nine of these cases were affected by the Hague Convention on International Child Abduction, which represents 29% of incoming Hague abduction cases handled by the Office of Child's Issues of the US State Department in 2012. At year-end of 2012 AODVC was handling 124 on-going cases.

As reported by the Hague Convention Domestic Violence Project (www.haguedv.org/reports) 70% of women involved in international child abduction cases under the Hague Convention are fleeing domestic abuse and the failure of judicial systems to protect them and their children. *Abbott vs. Abbott* (2010) (www.supremecourt.gov/opinions/09pdf/08-645.pdf) brought these issues to the attention of the US Supreme Court.

Between 2010-2012 the Office of Child's Issues, Consular Division of the US State Department handled 890 incoming Hague Convention on international child abduction cases, with up to 70%, or 623 cases,¹² potentially involving a protective parent fleeing domestic abuse and a Receiving State's failure to protect. While I have been unable to obtain figures from the US State Department on the annual budget for the Office of Child's Issues, the 2012 budget for "Strengthening Consular and Management Capabilities" was \$3.75 billion.¹³ Effectively, millions of dollars per year of the Consular Affairs Division's budget are used in supporting the on-going abuse of thousands of Americans,¹⁴ while none of their resources are being used to assist the victims.

¹⁰ All documents pertaining to my case are posted on <http://worldpulse.com/user/2759/journal>

¹¹ Extrapolated from estimates in *Women and Health: Today's Evidence Tomorrow's Agenda*, World Health Organization 2009, p. 56.

¹² The Office of Child's Issues does not compile or retain gender statistics in its reporting of incoming or outgoing cases. Therefore, I have used the common and repeatedly reported rate of 70% for "State failure to protect" (Amnesty International, American State Bar Associations, inter alia)

¹³ Consolidating Schedule of Net Costs, US Department of State Fiscal Year 2012 Agency Financial Report, p. 116

¹⁴ Each year the Office of Child's Issues deals with an average of 300 incoming cases with abused children, which are then condemned to living with the abusive parent for 10-16 years +. (My own children are 19 and 21, but until they are financially self-sufficient, or until I am financially solvent, they cannot defy their father's order to have no contact with me.)

Abusers are well aware of the criminal implications, the stringent sanctions, and incarceration of those who resort to international child abduction, and are freely and frequently using the Hague Convention as a tool to intimidate and abuse their victims. They do so knowing full well that victims will not be assisted by Receiving State's judicial and law enforcement systems, nor will they be assisted by Sending State's Consulates, consular affairs division in Sending State's headquarters, or Sending State's judicial system, which are plagued by the same "failure to protect" due to the same "lack of diligence" as in the Receiving State.

In my own my ex-husband repeatedly assure me from the onset that I would be left penniless and incarcerated (prison or psychiatric facility); claiming that all "*had been planned.*" At the time, I thought his contention was just another example of his schizophrenic, hallucinatory state. But, statistics and documented testimonies show that this is an increasing phenomenon amongst victims of domestic abuse. In my own case all of my assets were illegally misappropriated by the courts and the negligence of my legal counsel, with my incarceration a very real possibility on several occasions.

Then, when I confronted my lawyers (recommended on the American Embassy website) with their overt negligent actions and the violation of my rights, I was always told "*Lady, we do this all the time. Who are you going to tell?*" And, effectively my petition to the *Defensor del Pueblo*, *Consejo General del Poder Judicial* and *Instituto de Mujer* for an investigation into my case and allegations was totally ignored, even though the professional and criminal negligence of implicated parties is well detailed, documented, and argued (posted on <http://worldpulse.com/node/52011> and <http://worldpulse.com/node/50602>, respectively.)

The culture of "*laissez faire*" and silencing of victims, apathy of law enforcement and judicial actors towards the plight of victims, failure of judicial regulatory agencies to diligently investigate complaints & sanction infractions of judicial actors, coupled with consular affairs representatives' non-compliance with art. 5, 36, 37 & 38 of the Convention on Consular Relations and FAM guidelines (victims of crimes/domestic abuse), inter alia, provide the motive, opportunity, and means for abusers to utilize judicial systems and government institutions to freely and overtly continue abusing and harassing their victims.¹⁵

Of additional importance for the US government and US State Department, as my particular case demonstrates, is how American entrepreneurs in their business dealings abroad are open to corruption and discrimination in foreign courts. And, how the lack of due diligence by, and apathy of, US State Department officials permit unfair trade practices and misappropriation of American assets by foreign courts.

As the American Consulate in Madrid has been aware from the beginning of my case, the escalation of violence and threats upon my life by my ex-husband's were caused by my desire and efforts to provide financial independence for me and my children. My company, Global Expats (www.global-expats.com)

¹⁵ The traditions and customs that for centuries have been used to silence dissent against government abuses of power are being used to silence the dissent of women and children who defy and denounce the abuses of power within the home.

xpats.com) is modeled after the Federation of American Women's Clubs Overseas (FAWCO), but is a revenue-generating entity which remunerates its *trailing spouse* managers and employees, as well as assistants them in career maintenance and entrepreneurial efforts. Revenues are generated from a networking/local search-city guide global website with estimate lost opportunity costs at \$200 million to date.

The disinterest and negligence of the American Consulate in Madrid and US State Department, Office of American Citizen Services and Crisis Management in Washington, DC, in the past 6 years and in regard to my case, has not only been responsibility for millions of dollars in lost revenues of my company, but prevented the creation of hundreds of jobs of American women living abroad.

International organizations such as the IMF,¹⁶ World Bank,¹⁷ and United Nations¹⁸ are increasingly examining the link between corruption and the present economic crisis. My case provided a perfect case-study on how and why widespread corruption in the courts impedes economic growth and

¹⁶ Factsheet - The IMF and Good Governance (www.imf.org/external/np/exr/facts/gov.htm), Improving Governance and Fighting Corruption (www.imf.org/external/pubs/ft/issues/issues21/index.htm), Corruption and Development (<http://www.imf.org/external/pubs/ft/fandd/1998/03/pdf/gray.pdf>), Roads to Nowhere: How Corruption in Public Investment Hurts Growth (<http://www.imf.org/external/pubs/ft/issues12/index.htm>), Economic Issues No. 6 -- Why Worry About Corruption? – IMF (www.imf.org/external/pubs/ft/issues6/index.htm)

¹⁷ Corruption and Economic Development (<http://www1.worldbank.org/publicsector/anticorrupt/corruptn/cor02.htm>), World Bank Institute (<http://wbi.worldbank.org/wbi/topic/governance>), Measuring and reducing the impact of corruption in infrastructure (<http://documents.worldbank.org/curated/en/2006/12/7269830/measuring-reducing-impact-corruption-infrastructure>), Anti-corruption policies and programs : a framework for evaluation (<http://documents.worldbank.org/curated/en/2000/12/748708/anti-corruption-policies-programs-framework-evaluation>), The silence of corruption : identifying underreporting of business corruption through randomized response techniques (<http://documents.worldbank.org/curated/en/2011/06/14420546/silence-corruption-identifying-underreporting-business-corruption-through-randomized-response-techniques>), A trio of perspectives on corruption : bias, speed money and "grand theft infrastructure" (<http://documents.worldbank.org/curated/en/2011/11/15505870/trio-perspectives-corruption-bias-speed-money-grand-theft-infrastructure>), Social marketing strategies to fight corruption (<http://documents.worldbank.org/curated/en/1998/01/440233/social-marketing-strategies-fight-corruption>), Corruption and development (<http://documents.worldbank.org/curated/en/1998/05/438765/corruption-development>), Enrichment with growth (<http://documents.worldbank.org/curated/en/2011/10/15348701/enrichment-growth>), Building public support for anti-corruption efforts : why anti-corruption agencies need to communicate and how (<http://documents.worldbank.org/curated/en/2010/01/12204776/building-public-support-anti-corruption-efforts-anti-corruption-agencies-need-communicate>), An analysis of the causes of corruption in the judiciary (<http://documents.worldbank.org/curated/en/1999/08/437874/analysis-causes-corruption-judiciary>), Corruption in economic development - beneficial grease, minor annoyance, or major obstacle? (<http://documents.worldbank.org/curated/en/1999/02/438609/corruption-economic-development-beneficial-grease-minor-annoyance-or-major-obstacle>), Experiments in culture and corruption : a review (<http://documents.worldbank.org/curated/en/2012/05/16259932/experiments-culture-corruption-review>)

¹⁸ Corruption and the Global Economy (<http://mirror.undp.org/magnet/Docs/efa/corruption/Chapter02.pdf>), The Cost of Corruption (www.un.org/events/10thcongress/2088b.htm), Organized Crime - United Nations Office on Drugs and Crime (www.unodc.org/unodc/en/organized-crime/index.html), United Nations Convention against Corruption (<http://www.unodc.org/unodc/en/treaties/CAC/>), Struggle against Organized Crime, Corruption, Drug Trafficking (www.un.org/News/Press/docs/2010/gashc3975.doc.htm), Fighting Transnational Organized Crime - the United Nations (www.un.org/events/10thcongress/2088f.htm), The study to examine the links between organised Crime and Corruption (<http://ec.europa.eu/>)

entrepreneurial development, and the role negligent governance by regulatory agencies is playing in promoting judicial corruption.¹⁹

In order to effectively protect and promote the interests of Americans living abroad, it is imperative that American Embassies and Consulates abroad comply with the guidelines in U.S. Department of State Foreign Affairs Manual Volume 7 - Consular Affairs (FAM), and utilize their prerogatives provided for in art. 5, 36, 37 & 38 of the Convention of Consular Affairs, and other international treaties, in assuring due process and respect for the rights of American citizens in foreign jurisdictions.

I hope by bringing these issues to your attention the US State Department will reassess their policy of non-compliance with FAM, the Convention on Consular Affairs, and other international treaties which provide them with the power and authority to promote and defend the interests and rights of Americans living abroad.

I thank you in advance for your time and consideration. Please feel free to contact me at Quenby@global-xpats.com or (202) 213-4911 with any questions or requests for additional information.

Sincerely,



Quenby Wilcox

Founder – Global Expats

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cc²⁰: President Barak Obama, White House

Assistant Secretary, Consular Affairs Janice L. Jacobs, US State Department

Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management

Joanne Hunter, Office of American Citizen Services and Crisis Management

Deputy Assistant Secretary, Jim D. Pettit, Overseas Citizens Services, US State Department

Assistant Secretary, Michael H. Posner, Bureau of Democracy, Human Rights and Labor, US State Department

Ambassador-at-Large Stephen J. Rapp, Office of Global Criminal Justice, US State Department

Deputy, Beth Van Schaack, Office of Global Criminal Justice, US State Department

Ambassador Alan D. Solomont, Embassy of the United States Spain

General Consul Peggy Gennatiempo, Embassy of the United States Spain

¹⁹ The importance of the role that government agencies play in assuring transparency, integrity and accountability of the industry it regulates is clearly demonstrated in *Governance of Financial Supervisors and its Effects – A Stocktaking Exercise* by Marc Quintyn <http://ideas.repec.org/b/erf/erfstu/47.html>.

²⁰ Posted on <http://worldpulse.com/node/64031>

The protection of fundamental human rights was a foundation stone in the establishment of the United States over 200 years ago. Since then, a central goal of U.S. foreign policy has been the promotion of respect for human rights, as embodied in the Universal Declaration of Human Rights. The United States understands that the existence of human rights helps secure the peace, deter aggression, promote the rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises.

Because the promotion of human rights is an important national interest, the United States seeks to:

- **Hold governments accountable to their obligations under universal human rights norms and international human rights instruments;**
- Promote greater respect for human rights, including freedom from torture, freedom of expression, press freedom, women's rights, children's rights, and the protection of minorities;
- Promote the **rule of law, seek accountability, and change cultures of impunity;**
- Assist efforts to reform and strengthen the institutional capacity of the Office of the UN High Commissioner for Human Rights and the UN Commission on Human Rights; and
- Coordinate human rights activities with important allies, including the EU, and regional organizations.

The Bureau of Democracy, Human Rights, and Labor (DRL) applies three key principles to its work on human rights:

1. DRL strives to learn the truth and state the facts in all of its human rights investigations, reports on country conditions, speeches and votes in the UN, and asylum profiles
2. DRL takes consistent positions concerning past, present, and future abuses. With regard to past abuses, it actively promotes accountability.
3. DRL forges and maintains partnerships with organizations, governments, and multilateral institutions committed to human right.ⁱ

U.S. Human Rights Commitments and Pledges
Bureau of Democracy, Human Rights, and Labor
Washington, DC - April 16, 2009
www.state.gov/j/drl/rls/fs/2009/121764.htm

We are dedicated to combating both overt and subtle forms of racism and discrimination internationally. The United States is party to the International Covenant on the Elimination of All Forms of Racial Discrimination, and is committed to seeing the goals of this covenant fully realized. Particular emphasis should be placed not only on eliminating any remaining legal barriers to equality, but also on **confronting the reality of continuing discrimination and inequality within institutions and societies.**

**Patrick F. Kennedy, Under Secretary for Management, US State Department,
Statement to the Senate Committee on the Judiciary
Advantages to the USA in complying with the
Convention of Consular Affairs in their assistance to American's living abroad**

- The protection of U.S. citizens abroad ranks among the Secretary's and the Department's absolute highest priorities
- Without guaranteed consular assistance, Americans cannot travel the world freely, safely, and with peace of mind
- When a U.S. citizen finds him or herself in a foreign government's custody, a consular officer is often the best, and sometimes only, resource that citizen has as he or she navigates a foreign legal system
- We find these services especially critical in countries that do not respect due process of law and fundamental rights
- Ensuring compliance with our legal obligations is essential to our foreign relations and close bilateral relationships
- Our treaties are critical to protecting U.S. sovereign interests... facilitate our businesses' international economic relationships.
- Chief Justice Roberts' opinion for the Court recognized that judgment as a binding international legal obligation, and agreed that the United States' interests in observance of the Vienna Convention, in protecting relations with foreign governments, and in demonstrating commitment to the international rule of law through compliance with that judgment were —plainly compelling

United States Strategy to Prevent and Respond to Gender-based Violence Globally

“We also know that countries are more likely to prosper when they tap the talents of all their people. And that’s why we’re investing in the health, education and rights of women, and working to empower the next generation of women entrepreneurs and leaders. Because when mothers and daughters have access to opportunity, that’s when economies grow, that’s when governance improves.” – President Barack Obama, Remarks at the Millennium Development Goals Summit, United Nations Headquarters, New York, New York, September 22, 2010

“Around the globe, violence against women is an epidemic. Violence robs women and girls of their full potential and causes untold human suffering. Violence against women impedes economic development, threatens peace and prosperity, and inhibits full participation in civic life. For every woman who has been beaten in her own home, for the millions of women who have been raped as a weapon of war, for every girl who has been attacked on her way to school, for all of the children—girls and boys—who have witnessed this brutality, we must do better.” – Vice President Joe Biden, Statement on the Anniversary of the International Day for the Elimination of Violence Against Women, November 24, 2010

“It is time for all of us to assume our responsibility to go beyond condemning this behavior, to taking concrete steps to end it, to make it sociably unacceptable, to recognize it is not cultural; it is criminal.” – Secretary of State Hillary Clinton, Remarks on the Adoption of a United Nations Security Council Resolution to Combat Sexual Violence in Armed Conflict, United Nations Headquarters, New York, New York, September 30, 2009

ⁱⁱ Mechanisms to Prevent and Respond to Gender-based Violence

www.state.gov/documents/organization/196468.pdf

The Department of State will employ various mechanisms to ensure a coordinated process for enhanced intra- and inter-agency coordination on addressing gender-based violence. The mechanisms outlined below mirror the framework detailed in the Secretary’s Policy Guidance on Promoting Gender Equality, and will be integrated across existing coordinating bodies on gender issues, both in Washington and within embassies and missions.

Strategic and Budget Planning

Under the Secretary’s Policy Guidance, relevant Department of State bureaus and embassies will develop strategies to promote gender equality and advance the status of women and girls across geographic regions and functional bureaus. Bureau and country strategies to address gender issues will be developed as part of the Department of State’s ongoing strategic planning and budgeting process. Strategies will be grounded in analysis of existing inequalities and focused on action items that the Department and embassies can advance in both near-term and longer-term timeframes. To implement the strategy on gender-based violence, the Department of State will: Review relevant functional bureau strategic plans to ensure that gender-based violence is adequately addressed; and

Request that relevant regional bureaus and embassies include specific gender-based violence issues within their strategic plans, as applicable to specific country or regional contexts.

Guided by newly-revised definitions and guidance to bureaus and embassies, current budget processes have been strengthened to more accurately represent budget levels for the following Key Issue areas: gender equality/women’s empowerment (both primary and secondary attribution), gender-based violence, and women, peace, and security. The process informs the annual Congressional Budget Justification in these critical areas and serves to advance gender equality through both direct and integrated approaches. United States Strategy to Prevent and Respond to Gender-based Violence Globally 31

Policy and Programming

Embassies and bureaus will strive to ensure that the full range of U.S. policy and assistance programming identifies and addresses existing gender disparities, capitalizes on the unique skills and contributions of women and girls, and is accessible and responsive to ongoing challenges confronted by women and girls. In order to further this agenda on issues specific to gender-based violence, the Department of State will: Establish an intra-agency working group, consisting of representatives from a wide range of bureaus and offices across the Department, to assist in internal coordination and integration of gender-based violence prevention and response in Department programming and policies.

The working group will share information and establish priorities, as well as coordinate existing policies and programs to eliminate gaps and effectively maximize existing resources.

Through existing policy and diplomatic mechanisms and programming, including the Secretary's International Fund for Women and Girls and S/GWI, the Department of State will: Advocate for development and implementation of laws and policies in other countries to monitor, prevent, and respond to gender-based violence. This includes work to strengthen institutions and support partner governments' efforts to develop appropriate legislation, harmonize laws and other provisions in the legal code, develop action plans for implementation, and help train oversight of and advocacy for implementation of the laws; Support capacity-building of and outreach to civil society, including the media, criminal justice sector, and health providers; Support civil society and community-level approaches to change behaviors and attitudes concerning violence and to facilitate discussion among families, community organizations, and religious, traditional, and other community leaders around human rights and gender-based violence, and effective ways to address these issues. Through these community level approaches, the Department will aim to target and engage:

- Men and boys;*
- Female leaders and women's groups;*
- Religious, faith-based, and community leaders; and*
- Youth*

Build off existing platforms (GHI, PEPFAR, etc.) and scale up programs that have been found effective, contingent on resources. This could include programs that integrate screening of and response to gender-based violence into health service delivery programs, as well as psychosocial support where feasible; or programs that require health and life skills programming for adolescent and pre-adolescent girls and boys, for example to address sexual coercion and abuse and promote elements of healthy relationships; Establish multi-sector linkages regarding violence prevention and response programs, with particular attention to the legal/judicial system and the education and economic sectors; and Address the causes, including root causes, of gender-based violence, especially violence against women and girls. This includes reducing barriers between women and men and girls and boys in economic, political, and civic arenas and implementing initiatives that protect human rights and raise societies' respect and value for all women and girls, including inclusive education and economic empowerment opportunities.



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Patrick F. Kennedy
Under Secretary of State for Management
US State Department
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Washington, DC 20520

March 16, 2013

RE: American Living Abroad in Cases of Domestic Abuse and the US State Department's Obligation to Assist under American and International Law

Dear Mr. Under Secretary Kennedy,

The US State Department estimates that 5.25 million Americans reside abroad, with 650,000 women and children at risk of becoming victims of domestic abuse and violence.¹ In 2012 the American Overseas Domestic Violence Crisis Center (AODVC – www.866uswomen.org) handled 3005 crisis calls, emails & live chats directly from, or on behalf of 547 victims (544 females, 3 males) in 57 countries (UK, Canada, Costa Rica, Turkey, Russia, UAE, Germany, Pakistan, Switzerland, Croatia, being the most frequent.) Ninety-nine of these cases were affected by the Hague Convention on International Child Abduction, which represents 29% of incoming Hague abduction cases handled by the Office of Child's Issues of the US State Department in 2012. At year-end of 2012 AODVC was handling 124 on-going cases.

As reported by the Hague Convention Domestic Violence Project (www.haguedv.org/reports), 70% of women involved in international child abduction cases under the Hague Convention are fleeing domestic abuse and the failure of judicial systems to protect them and their children. *Abbott vs. Abbott* (2010) (www.supremecourt.gov/opinions/09pdf/08-645.pdf) brought these issues to the attention of the US Supreme Court.

Between 2010-2012 the Office of Child's Issues, Consular Division of the US State Department handled 890 incoming Hague Convention on international child abduction cases, with up to 70%, or 623 cases,² potentially involving a protective parent fleeing domestic abuse and a Receiving State's failure to protect. While I have been unable to obtain figures from the US State Department on the

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annual budget for the Office of Child's Issues, the 2012 budget for "Strengthening Consular and Management Capabilities" was \$3.75 billion.³ Effectively, millions of dollars per year of the Consular Affairs Division's budget are used in supporting the on-going abuse of thousands of Americans,⁴ while none of their resources are being used to assist the victims. (Please see enclosed my most recent correspondence to Ms. Joyce Namde, European Division Chief, Office of American Citizens Services and Crisis Management, as well as all other previous correspondence with US State Department officials and representatives.)

Abusers are well aware of the criminal implications, the stringent sanctions, and incarceration of those who resort to international child abduction, and are freely and frequently using the Hague Convention as a tool to intimidate and abuse their victims. They do so knowing full well that victims will not be assisted by Receiving State's judicial and law enforcement systems, nor will they be assisted by Sending State's Consulates, consular affairs division in Sending State's headquarters, or Sending State's judicial system, which are plagued by the same "failure to protect" due to the same "lack of diligence" as in the Receiving State.

Even though there is a clear obligation to protect under human rights law (*Gonzales vs. USA*, 2011 Inter-American Commission on Human Rights, inter alia), US State Department personnel in Washington, DC and Consulates abroad continually contend that no such obligation or duty exists, with their refusal having been clearly documented and demonstrated in *Gonzalez de Alcala vs. Wilcox* during the past 6 years⁵.

The *U.S. Department of State Foreign Affairs Manual Volume 7 – Consular Affairs 1921*, establishes the US State Department's obligation and duty to assist Americans living abroad, in the following:

**7 FAM 1920 CONSULAR OFFICER'S AUTHORITY
AND RESPONSIBILITY TO VICTIMS OF SERIOUS CRIMES**
(CT:CON-407; 06-29-2012) (Office of Origin: CA/OCS/L)

7 FAM 1921 AUTHORITIES

(CT:CON-98; 12-13-2004)

a. State and Federal governments have enacted laws that specify the rights of crime victims and many states have amended their State constitutions to accord rights to victims.

b. Foreign governments have also recognized the unique problems experienced by victims of crime. See the non-binding U.N. Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power adopted by General Assembly resolution 40/34 of November 29, 1985.

c. "Consular authority to provide assistance to U.S. citizen victims of crime abroad and their families in the United States is derived from:

(1) **Article 5 of the Vienna Convention on Consular Relations;**

(2) 22 U.S.C. 1731 *Protection of Naturalized Citizens Abroad;*

(3) 22 U.S.C. 2715 *Procedures Regarding Major Disasters and Incidents Abroad Affecting United States Citizens;*

³ Consolidating Schedule of Net Costs, US Department of State Fiscal Year 2012 Agency Financial Report, p. 116

⁴ Each year the Office of Child's Issues deals with an average of 300 incoming cases with abused children, which are then condemned to living with the abusive parent for 10-16 years +. (My own children are 19 and 21, but until they are financially self-sufficient, or until I am financially solvent, they cannot defy their father's order to have no contact with me.)

⁵ Correspondence with US State Department official 2007 – present <http://worldpulse.com/node/64031>

- (4) 22 U.S.C. 2715a *Provision of Information on Certain Violent Crimes Abroad to Victims and Victims' Families*;
- (5) 22 U.S.C. 3904(1) *Functions of Service*;
- (6) 22 CFR 71.1 *Protection of Americans Abroad*; and
- (7) 22 CFR 71.6 *Services for Distressed Americans*.

The *U.S. Department of State Foreign Affairs Manual Volume 7 – Consular Affairs* also provides clear and specific guidelines and instructions with which employees of the US State Department may fulfill the obligation of the US government under international law. I cite the following:

- 7 FAM, 1922-1925 (Authority and Responsibility to Victims of Serious Crimes)
- 7 FAM, 1930-1932 (General Guidelines for Assisting Victims of Crimes/Domestic Violence)
- 7 FAM, 1910-1912 (Crime Victims Assistance)
- 7 FAM, 1920-1929 (Child Abuse or Neglect)
- 7 FAM, 1721-1723 (Child Abuse and Neglect Resources)
- 7 FAM, 1700-1719 (Safety and Protection of Minors/International Parental Child Abduction/ Hague Child Abduction Convention)
- 7 FAM, 900-913 (International Judicial Assistance)
- 7 FAM, 450-456 (Trials, Appeals, Sentences, Post Sentencing)⁶

In your statement before the Senate Judiciary Committee regarding the proposed Consular Notification Compliance Act, 2011 you stated that *“the protection of U.S. citizens abroad ranks among the Secretary’s and the Department’s absolute highest priorities...Without guaranteed consular assistance, Americans cannot travel the world freely, safely, and with peace of mind, whether for tourism, business, education, family matters, military service, or countless other activities...We find these services especially critical in countries **that do not respect due process of law and fundamental rights** ...*

Ensuring compliance with our legal obligations is essential to our foreign relations and close bilateral relationships. Our treaties are critical to protecting U.S. sovereign interests...[and] facilitate our businesses’ international economic relationships.

Chief Justice Roberts’ opinion for the Court recognized that judgment as a binding international legal obligation, and agreed that the United States’ interests in observance of the Vienna Convention, in protecting relations with foreign governments, and in demonstrating commitment to the international rule of law through compliance with that judgment were —plainly compelling.”

The Convention of Consular Relations is an essential and vital document and treaty, which provides governments with the authority and tools with which to protect the interests and rights of Americans living abroad. The fact that the US State Department and Obama administration support this Act, and encouraged Congress to pass it in 2011, is recognition of their commitment to assist Americans living abroad, particularly those involved with foreign judicial systems, and “detained in any manner”⁷ in a foreign country.

In addition to the “detained in any manner” provision in art. 36, art. 5 of the Convention clearly and categorically provides the US State Department with the **power and authority** vis-à-vis a Receiving

⁶ FAM 7 - US Department of State Foreign Affairs Manual, Vol. 7 - Consular Affairs - Victims of Crimes & Domestic Abuse -

http://worldpulse.com/files/upload/2759/us_department_of_of_state_foreign_affairs_manual_v.pdf

⁷ Art. 36 of the Convention on Consular Relations

State's legal framework to assist American victims of domestic abuse and violence residing in said country, while international law provides the **obligation** to assist and protect. I quote:

Power and Authority to Protect

Art. 5 - Consular functions consist in:

(a) ***protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;***

(h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the ***interests of minors*** and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons;

(i) subject to the practices and procedures obtaining in the receiving State, representing or ***arranging appropriate representation for nationals*** of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence ***or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;***

(j) transmitting judicial and extrajudicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;

(m) performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State."

Obligation to Protect

Inter-American Commission on Human Rights, *Gonzales vs. USA* and *Velasquez vs. Honduras*,
& the European Courts of Human Rights in *A vs. UK*

Under international law, a State may be responsible for acts of violence against women committed by non-state actors if it fails with due diligence to prevent, stop and investigate acts of violence, punish perpetrators and provide compensation to the victims, as specified in General Recommendation 19 (1992) of the Committee on the Elimination of Discrimination against Women. The legal concept of due diligence clarifies the responsibility of States to make women's rights a reality. This responsibility is enshrined within the established requirement of exercising due diligence to respect, protect, fulfill and promote human rights. Exercising due diligence includes actions with respect to prevention, investigation of violations of human rights that have occurred and prosecution of perpetrators through fair proceedings. It also requires that adequate reparations be made to victims, including compensation, justice and 'rehabilitation'.⁸

Decreasing the prevalence of violence against women requires challenging its acceptance, especially the many ways in which victims/survivors are blamed and perpetrators excused, transforming the diverse cultures of complicity and impunity across the globe.

⁸ "Good Practices in Combating and Eliminating Violence Against Women" Expert Group Meeting Organized by: United Nations Division for the Advancement of Women in collaboration with United Nations Office on Drugs and Crime 17 to 20 May 2005 Vienna, Austria, p.4.

*The failure of justice systems across the globe to effectively charge, investigate and prosecute human rights violations against women and girls has resulted in a system of global impunity for perpetrators, which must be urgently addressed.*⁹

*The right not to be abused must be absolute. States have the responsibility to address all violations of women's human rights that take place on their territory and/or are committed by [or against] their citizens in extra-territorial contexts.*¹⁰

In speeches and promises, US State Department officials are continually espousing their commitment to protecting and defending the interests of Americans living abroad. However, when victims of domestic abuse and violence solicit this assistance from Consulates abroad, reclaiming their rights, US State Department personnel refuse assistance under the contention that these cases are “private matters” and “civil disputes,” and that they are unable to intervene due to “sovereignty” issues. Under the principle of “contingent sovereignty”¹¹ and the “obligation to protect under the principle of due diligence,”¹² inter alia a judicial system does not enjoy, nor can they or anyone else claim, the rights of sovereignty in relation to the violation of a woman's or child's rights by State and non-State actors in judicial proceedings.

As stated by Stewart Patrick¹³ “One of the striking developments of the past decade has been an erosion of this non-intervention norm and the rise of a nascent doctrine of “contingent sovereignty.” This school of thought holds that sovereign rights and immunities are not absolute. They depend on the observance of fundamental state obligations. These include the responsibility to protect the citizens of the state. When a regime ... cannot prevent atrocities against [its people], it risks forfeiting its claim to non-intervention. In such circumstances, the responsibility to protect may devolve to the international community.”

In order to effectively protect and promote the interests of Americans living abroad, and fulfill the US government's obligation to protect under international law, it is imperative that American Embassies and Consulates abroad comply with the guidelines in U.S. Department of State Foreign Affairs Manual Volume 7 - Consular Affairs (FAM), and utilize their prerogatives provided for in art. 5, 36, 37 & 38 of the Convention of Consular Affairs, and other international treaties, in assuring due process and respect for the rights of American citizens in foreign jurisdictions.

I hope by bringing these issues to your attention the US State Department will reassess their policy of non-compliance with FAM, the Convention on Consular Affairs, and other international treaties

⁹ "Good Practices in Combating and Eliminating Violence Against Women" Expert Group Meeting Organized by: United Nations Division for the Advancement of Women in collaboration with United Nations Office on Drugs and Crime 17 to 20 May 2005 Vienna, Austria, p 12.

¹⁰ "Good Practices in Combating and Eliminating Violence Against Women" Expert Group Meeting Organized by: United Nations Division for the Advancement of Women in collaboration with United Nations Office on Drugs and Crime 17 to 20 May 2005 Vienna, Austria, p.3.

¹¹ See correspondence with US State Department 2007-2013 posted on <http://worldpulse.com/node/64031>

¹² Gonzales vs. USA (2011) Inter-American Commission on Human Rights, inter alia

¹³ The Role of the U.S. Government in Humanitarian Intervention, Stewart Patrick, Policy former Policy Planning Staff of the US Department of State, (and presently Senior Fellow and Director of the International Institutions and Global Governance Program) Remarks to the 43rd Annual International Affairs Symposium, *The Suffering of Strangers: Global Humanitarian Intervention in a Turbulent World*, Lewis and Clark College, Portland, Oregon, April 5, 2004 <http://web.archive.org/web/20070614080910/http://www.state.gov/s/p/rem/31299.htm>

which provide them with the power and authority to promote and defend the interests and rights of Americans living abroad.

I thank you in advance for your time and consideration. Please feel free to contact me at Quenby@global-xpats.com or (202) 213-4911 with any questions or requests for additional information.

Sincerely,



Quenby Wilcox
Founder – Global Expats
www.global-xpats.com
quenby@global-xpats.com

cc¹⁴: Assistant Secretary, Consular Affairs Janice L. Jacobs, US State Department
Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management
Joanne Hunter, Office of American Citizen Services and Crisis Management
Ambassador Alan D. Solomont, Embassy of the United States Spain

¹⁴ Posted on <http://worldpulse.com/node/64031>



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February 26, 2013

RE: Human rights violations under the failure to protect and the principle of due diligence –
Wilcox vs. Gonzalez de Alcala and *Gonzalez de Alcala vs. Wilcox / juzgado de Mostoles, Madrid, Spain*

Dear Mr. Pettit,

I am contacting the US State Department, Overseas Citizens Services in regards to my divorce/domestic violence case in Spain. Please find enclosed my recent correspondence to the American Consulate in Madrid, once again requesting their assistance under the Convention of Consular Relations.

I am hereby again requesting that the US State Department in Washington, DC, request that the American Consulate in Madrid provide me with the assistance I am soliciting under the Convention of Consular Relationsⁱ, U.S. Department of State Foreign Affairs Manual – Consular Affairs (FAM - General Guidelines for Victims of Crimes / Victims of Domestic Abuse,) and Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, inter alia.

For your convenience, please find enclosed past correspondence in regards to my case:

- Correspondence with the US State Department, Office of American Citizen Services and Crisis Management in Washington, DC, and American Consulate in Madrid, etc. (2007-2010)
- A complaint to the *United Nations Entity for Gender Equality and the Empowerment Women – Commission on the Status of Women* (2012) for human rights violations and discrimination against women by Spanish State and non-State actors (supporting documents are posted on <http://worldpulse.com/node/557300>.)

- A complaint to the Spanish *Defensor del Pueblo* and *Consejo General de Poder Judicial* (2012) for constitutional, civil and human rights violations by *el juzgado de Mostoles*, Spanish government and non-government agencies, and my legal counsel (full document and supporting documents are posted on <http://worldpulse.com/node/52011>)
- A complaint to the Spanish *Instituto de Mujer* (2012) for discrimination against women in Spanish family courts – English translation (original Spanish version and supporting documents are posted on <http://worldpulse.com/node/50602>)

In efforts to exhaust all remedies at my disposal, before initiating litigation within the international courts against Spain for human rights violations under their obligation to protect and the principle of due diligence,¹ I will be filing an official complaint with the *Colegio de Abogado de Madrid* against my legal counsel for their negligence between 2007 and 2012 (under the Spanish Constitution, civil code, and penal code). My complaint and supporting documents are posted on <http://worldpulse.com/node/52999>.

It should be noted that the names of the following legal counsel were obtained directly and/or indirectly from the American Embassy in Spain's website:

- Señor Gonzalo Martínez de Haro de Viñador, Carlos y Asociados - Juicio Rápido 607/2007 Wilcox vs. González de Alcalá
- Señora Belén García Martin, de Plehn Abogados (Steven Plehn) - Medias a la Previa 1140/2007 González de Alcalá vs. Wilcox
- Jorge Capell Cuatrecasas, Gonçalves Pereira - Divorcio Contencioso 1143/2007 González de Alcalá vs. Wilcox

I will also be re-submitting my complaints to the *Defensor del Pueblo* and *Consejo General de Poder Judicial*. I trust that the US State Department, and the American Embassy and Consulate in Madrid will assure, through appropriate channels, that all my complaints and allegations will be examined and investigated, with responsible parties being held accountable; using the highest standards of diligence and to the letter of the law.

Seventy percent of international child abduction cases under the Hague Convention are women fleeing domestic abuse and a government's failure to protect (<http://www.haguedv.org/reports>.) These women are being held to the letter of the law by sending and receiving States, facing criminal charges and incarceration for extend periods of time. In my case, I am requesting that legal counsel and other judicial actors in Spain be held to the same standard as these women; anything less is discrimination and in violation of Spanish and international law.

The prevalence of the problems that I have encountered within the Spanish legal system in the past 6 years is well documented by Amnesty International and various UN Commissions, detailed in report after report (posted on <http://worldpulse.com/node/55730>.) My case clearly demonstrates to what extent deeply entrenched cultural norms and traditions that discriminate against and perpetuate the domination of women in a society preclude even the most progressive of laws and legal codes.

¹ as established by the Inter-American Commission on Human Rights *Gonzales vs. USA* (2011- www.aclu.org/human-rights-womens-rights/jessica-gonzales-v-usa) & *Velazquez vs. Honduras* and the European Courts on Human Rights in *A vs. UK*

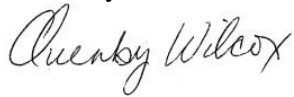
Under the Spanish Constitution, civil code and Equality Act 3/2007, women in Spain are accorded more rights than any other country in the world. However, due to rampant discrimination and corruption within their judicial system,² women are unable to enjoy or exercise those rights.

My case not only involves my right to life and security, and the right to protection of those rights by implicated State and non-State actors, but my right to work (see Structure & Concept of Global Expats on www.global-xpats.com/al/documents.) The threats and manipulations of my ex-husband (and other family members) in the past 6 years have been with the expressed intention of preventing me from developing my project, as well as financial independence for me and my children. State and non-State actors who have knowingly or un-knowingly been complicit in his (their) efforts are responsible for human rights violations as well as any and all damages produced (under Spanish and international law.)

Violence against, and intimidation/oppression of women, are not “civil disputes” or “private matters,” as US State Department officials have constantly contended in my case. Violence against, and intimidation/oppression of women, whether it is sanctioned by executive decree of a State, or transpires due to a State’s failure to protect, are human rights violation.

Thank you in advance for your time and consideration. If you should require further information, or have any questions, please feel free to contact me at quenby@global-xpats.com or (202) 213-4911.

Sincerely,



Quenby Wilcox
Founder – Global Expats
quenby@global-xpats.com
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cc³: President Barak Obama, White House
US Secretary of State John Kerry, US State Department
Assistant Secretary, Consular Affairs Janice L. Jacobs, US State Department
Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management
Joanne Hunter, Office of American Citizen Services and Crisis Management
Assistant Secretary, Michael H. Posner, Bureau of Democracy, Human Rights and Labor, US State Department
Ambassador-at-Large Stephen J. Rapp, Office of Global Criminal Justice, US State Department
Deputy, Beth Van Schaack, Office of Global Criminal Justice, US State Department
Ambassador Alan D. Solomont, Embassy of the United States Spain
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²The definition of corruption used is that of Amnesty International; Transparency International; The Internacional Council on Human Rights Policy; Edgardo Buscaglia and Jan van Dijk, Crime Prevention and Criminal Justice Officer and Officer-in-Charge, Human Security Branch, United Nations Office on Drugs and Crime in Controlling Organized Crime and Corruption in the Public Sector; inter alia.

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“Article 2 Establishment of consular relations

- 1. The establishment of consular relations between States takes place by mutual consent.*
- 2. The consent given to the establishment of diplomatic relations between two States implies, unless otherwise stated, consent to the establishment of consular relations.*
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Art. 5 Consular functions consist in:

- (a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;*
- (h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons;*
- (i) subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;*
- (j) transmitting judicial and extrajudicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;*
- (m) performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.”*

Article 36

Communication and contact with nationals of the sending State

1. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:

- (a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;*
- (b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this subparagraph;*
- (c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgement. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he expressly opposes such action.*

2. The rights referred to in paragraph 1 of this article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this article are intended.

Article 37

Information in cases of deaths, guardianship or trusteeship, wrecks and air accidents. If the relevant information is available to the competent authorities of the receiving State, such authorities shall have the duty:

- (a) in the case of the death of a national of the sending State, to inform without delay the consular post in whose district the death occurred;*
- (b) to inform the competent consular post without delay of any case where the appointment of a guardian or trustee appears to be in the interests of a minor or other person lacking full capacity who is a national of the sending State. The giving of this information shall, however, be without prejudice to the operation of the laws and regulations of the receiving State concerning such appointments;*
- (c) if a vessel, having the nationality of the sending State, is wrecked or runs aground in the territorial sea or internal waters of the receiving State, or if an aircraft registered in the sending State suffers an accident on the territory of the receiving State, to inform without delay the consular post nearest to the scene of the occurrence.*

Article 38

Communication with the authorities of the receiving State In the exercise of their functions, consular officers may address:

- (a) the competent local authorities of their consular district;*
- (b) the competent central authorities of the receiving State if and to the extent that this is allowed by the laws, regulations and usages of the receiving State or by the relevant international agreements.*



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February 26, 2013

RE: Human rights violations under the failure to protect and the principle of due diligence –
Wilcox vs. Gonzalez de Alcala and *Gonzalez de Alcala vs. Wilcox / juzgado de Mostoles, Madrid, Spain*

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cc³: President Barak Obama, White House

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- (j) transmitting judicial and extrajudicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;*
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Article 36

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- (a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;*
- (b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this subparagraph;*
- (c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgement. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he expressly opposes such action.*

2. The rights referred to in paragraph 1 of this article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this article are intended.

Article 37

Information in cases of deaths, guardianship or trusteeship, wrecks and air accidents. If the relevant information is available to the competent authorities of the receiving State, such authorities shall have the duty:

- (a) in the case of the death of a national of the sending State, to inform without delay the consular post in whose district the death occurred;*
- (b) to inform the competent consular post without delay of any case where the appointment of a guardian or trustee appears to be in the interests of a minor or other person lacking full capacity who is a national of the sending State. The giving of this information shall, however, be without prejudice to the operation of the laws and regulations of the receiving State concerning such appointments;*
- (c) if a vessel, having the nationality of the sending State, is wrecked or runs aground in the territorial sea or internal waters of the receiving State, or if an aircraft registered in the sending State suffers an accident on the territory of the receiving State, to inform without delay the consular post nearest to the scene of the occurrence.*

Article 38

Communication with the authorities of the receiving State In the exercise of their functions, consular officers may address:

- (a) the competent local authorities of their consular district;*
- (b) the competent central authorities of the receiving State if and to the extent that this is allowed by the laws, regulations and usages of the receiving State or by the relevant international agreements.*



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The Honorable Janice L. Jacobs
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US State Department
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202-647-9576
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February 26, 2013

RE: Domestic abuse as a human rights violation, and a State's obligation to protect

Dear Ambassador Jacobs,

I am contacting you regarding an issue that is receiving increasing awareness amongst communities around the world; domestic abuse and violence as a human rights violation and a State's obligation to protect under the principle of due diligence, as established by the Inter-American Commission on Human Rights, *Gonzales vs. USA* and *Velasquez vs. Honduras*, and the European Courts of Human Rights in *A vs. UK* (www.aclu.org/human-rights-womens-rights/jessica-gonzales-v-usa.)

As so many advocates, I have become involved in the issues due to my own personal experience as a victim of domestic abuse, and re-victimization by the very judicial systems which have a duty and obligation under international human rights law to protect me and my children.

Details of my own personal case and my efforts to protect and defend my rights, and the rights of others (as well as develop "good practices" and appropriate protocol in challenging and denouncing abusive and discriminatory traditions and customs in family courts) are as follows and posted on the appropriate weblinks:

- **United Nations Entity for Gender Equality and the Empowerment of Women – Commission on the Status of Women - complaint against the Spanish government, for the following violations:** their failure to protect victims of gender violence; failure to assure due process: failure to prevent discrimination against women within judicial proceedings pertaining to divorce, custodial decisions, and liquidation of common assets; application of discriminatory norms against and stereotypes of women during judicial proceedings and decisions; the failure of government regulatory agencies to duly investigate complaints of lack of due process, discrimination, and negligence/corruption of State and non-State judicial actors (www.worldpulse.com/node/55730)

- **Official complaint to the Spanish *Defensor del Pueblo* and *Consejo General del Poder Judicial*** for constitutional, civil and human rights violations in *Gonzalez de Alcala vs. Wilcox* (www.worldpulse.com/node/52011)
- **Official complaint to the Spanish *Instituto de Mujer*** for discrimination against women in *Gonzalez de Alcala vs. Wilcox* (www.worldpulse.com/node/50602)
- **Letter to Cuatrecasas, Gonçalves Pereira** (April 2012) requesting their assistance under their obligation to perform the previous unfulfilled contractual obligation of Jorge Capell, art. 1089, 1098, 1102, 1104, of the Spanish civil code, & art. 11, 29, 31, 109, 511 and 512 of the Spanish penal code, inter alia (www.worldpulse.com/node/62773)
- **Letter to Plehn Abogados** (December 2012) requesting his assistance in arriving at a financial settlement with all previous legal counsel (Gonzalo Martinez de Haro of Vanander, Carlos y Asociados (American Embassy website listing); Belen Garcia Martin (Plehn Abogado – American Embassy website listing); Jose Manuel Hernandez Jiménez (*abogado de oficio*); Jorge Capell of Cuatrecasas, Gonçalves Pereira (American Embassy website listing); Alberto Fontes Garcia Calamarte; Miguel Martinez Lopez de Asiain & Ignacio Gonzalez Martinez; and *procuradores*¹ Juan Bosco Hornedo Muguero; Maria Pilar Lantero; Pilar Poveda Guerra; and Rafael Gamarra Megias) for their professional and criminal negligence in *Wilcox vs. Gonzalez de Alcala* (2007) and *Gonzalez de Alcala vs. Wilcox* (2007-2012); as an act of good faith and in order to avoid future litigation against them.

Of additional concern, from a humanitarian as well as US government policy stand-point, has been US State Department, Consular Affairs representatives, refusal to comply with my requests for assistance under the Convention of Consular Relations (art. 5, 36, 37 & 38), and as provided for in the U.S. Department of State Foreign Affairs Manual Volume 7 - Consular Affairs (FAM), inter alia. Please find enclosed a copy of pertinent correspondence with US State Department officials.

In my final efforts to exhaust all domestic remedies at my disposal before presenting my case to the international courts, I am filing an official complaint with the *Colegio de Abogado* (Bar Association) y *Colegio de Procuradores* in Madrid against the afore mentioned legal counsel for their professional and criminal negligence in *Wilcox vs. Gonzalez de Alcala* and *Gonzalez de Alcala vs. Wilcox* (www.worldpulse.com/node/52999.)

To this end, I have once again contacted the American Consulate and Embassy in Madrid, as well as the Office of American Citizen Services and Crisis Management, US State Department in Washington, DC (see enclosed) requesting their assistance under the Convention of Consular Relations and FAM, inter alia.

¹ Under Spanish law and parameters indicated on the *Consejo General de Procuradores de España* it appears that my *procuradores* were under an obligation to notify the courts and presiding judge, and/or appropriate authorities as to any irregularities, transgressions, professional negligence, or criminal activity or intent by any judicial actors, and thereby do possess a legal liability and obligation for financial damages in regards my case. Even if they were not authors of said infractions, they become accessories after the fact by their omission of action under Spanish law.

The US State Department estimates that 5.25 million Americans reside abroad, with 650,000 women and children at risk of becoming victims of domestic abuse and violence.² In 2012 the American Overseas Domestic Violence Crisis Center (AODVC – www.866uswomen.org) handled 3005 crisis calls, emails & live chats directly from, or on behalf of 547 victims (544 females, 3 males) in 57 countries (UK, Canada, Costa Rica, Turkey, Russia, UAE, Germany, Pakistan, Switzerland, Croatia, being the most frequent.) Ninety-nine of these cases were affected by the Hague Convention on International Child Abduction, which represents 29% of incoming Hague abduction cases handled by the Office of Child's Issues of the US State Department in 2012. At year-end of 2012 AODVC was handling 124 on-going cases.

As reported by the Hague Convention Domestic Violence Project (www.haguedv.org/reports) 70% of women involved in international child abduction cases under the Hague Convention are fleeing domestic abuse and the failure of judicial systems to protect them and their children. *Abbott vs. Abbott* (2010) (www.supremecourt.gov/opinions/09pdf/08-645.pdf) brought these issues to the attention of the US Supreme Court.

Between 2010-2012 the Office of Child's Issues, Consular Division of the US State Department handled 890 incoming Hague Convention on international child abduction cases, with up to 70%, or 623 cases,³ potentially involving a protective parent fleeing domestic abuse and a Receiving State's failure to protect. While I have been unable to obtain figures from the US State Department on the annual budget for the Office of Child's Issues, the 2012 budget for "Strengthening Consular and Management Capabilities"⁴ was \$3.75 billion. Effectively, millions of dollars per year of the Consular Affairs Division's budget are used in supporting the abuse of thousands of Americans⁵, while none of their resources are being used to assist the victims.

Abusers are well aware of the criminal implications, and the stringent sanctions and incarceration of those who resort to international child abduction, and are freely and frequently using the Hague Convention as a tool to intimidate and abuse their victims. They do so knowing full well that not only will victims not be assisted by Receiving State's judicial and law enforcement systems, but they will also not be assisted by Sending State's Consulates, consular affairs division in Sending State's headquarters, nor Sending State's judicial system, which is plagued by the same "failure to protect" as the Receiving State.

² Extrapolated from estimates in *Women and Health: Today's Evidence Tomorrow's Agenda*, World Health Organization 2009, p. 56.

³ The Office of Child's Issues does not compile or retain gender statistics in its reporting of incoming or outgoing cases. Therefore, I have used the common and repeatedly reported rate of 70% for "State failure to protect" (Amnesty International, American State Bar Associations, inter alia)

⁴ Consolidating Schedule of Net Costs, US Department of State Fiscal Year 2012 Agency Financial Report, p. 116

⁵ Each year the Office of Child's Issues deals with an average of 300 incoming cases with abused children, which are then condemned to living with the abusive parent for 10-16 years +. (My own children are 19 and 21, but until they are financially self-sufficient, or until I am financially solvent, they cannot defy their fathers orders to have no contact with me.)

In my own case not only did my ex-husband repeatedly assure me from the onset that I would be left penniless and incarcerated (prison or psychiatric facility); claiming that all “*had been planned.*” At the time, I thought his contention was just another example of his schizophrenic, hallucinatory state. But, statistics and documented testimonies show that this is an increasing phenomenon amongst victims of domestic abuse. In my case, all of my assets were illegally misappropriated by the courts and the negligence of my legal counsel, and my incarceration was a very real possibility on several occasions.

Then, when I confronted my lawyers with their overt negligent actions and the violation of my rights, I was always told “*Lady, we do this all the time. Who are you going to tell?*” And, effectively my petition to the *Defensor del Pueblo*, *Consejo General del Poder Judicial* and *Instituto de Mujer* for an investigation into my case and allegations was totally ignored, even though the professional and criminal negligence of implicated parties is well detailed, documented, and argued (posted on <http://worldpulse.com/node/52011> and <http://worldpulse.com/node/50602>, respectively.)

The culture of “*laissez faire*” and silencing of victims, apathy of judicial actors towards the plight of victims, failure of judicial regulatory agencies to diligently investigate complaints & sanction infractions of judicial actors, coupled with consular affairs representatives’ non-compliance with art. 5, 36, 37 & 38 of the Convention on Consular Relations and FAM guidelines (victims of crimes/domestic abuse), inter alia, provide the motive, opportunity, and means for abusers to utilize judicial systems and government institutions to abuse their victims.

The mission of Global Expats is to provide comprehensive and practical support to expatriated families around the world; keeping these families together in a productive, supportive environment for all members. It is my greatest desire to reduce the elevated number of expat marriages that end in divorce. However, this absolutely must be accomplished with an “eyes open” approach. The prevalence of domestic abuse in homes around the world, its signs and “symptoms,” it’s devastating effects on the victims and society at large, the obligation to protect **all** implicated parties, as well as the long-standing traditions and customs (*de jure* and *de facto*) that intentionally and unintentionally cover-up and suppress evidence of abuse and silence victims,⁶ must be recognized, confronted, and eradicated.

Global Expats Domestic Abuse Prevention Division⁷ will provide comprehensive assistance to victims of abuse, with the objective of preventing cases from reaching crisis proportions (ie. cases of international child abduction caused by efforts to protect children from abuse.) However, in order to be effective, we will require the assistance of American Consulates (as provided for in the Convention of Consular Relations) in assuring due process in foreign courts, as well as demanding accountability of State and non-State actors who violate the rights of American citizens.

⁶ See my report [Domestic Abuse as a Human Rights Violation and the Principle of Due Diligence - Spain a Case Study](http://worldpulse.com/node/55730) (<http://worldpulse.com/node/55730>) and *Abuses of Power in Our Societies and Court Systems & Sexual Abuse of Children and the Failure of Family Courts to Protect Them* (<http://worldpulse.com/node/36851>.)

⁷ See p. 14 of *Concept and Structure of Global Expat* www.global-xpats.com/al/documents

I hope by bringing these issues to your attention, the US State Department and American Consulates will review and reassess their present policy of non-compliance with art. 5, 36, 37 & 38 of the Convention of Consular Relations in cases of divorce, custody hearings and/or domestic abuse. The necessity for compliance with the Convention on Consular Relations by American Consulates abroad is of utmost importance in assuring that the rights of Americans are respected in judicial proceedings, as well as in their dealings with the Receiving State's government and non-government agencies.

I thank you in advance for your time and consideration. Please feel free to contact me at Quenby@global-xpats.com or (202) 213-4911 with any questions or requests for additional information.

Sincerely,



Quenby Wilcox

Founder – Global Expats

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cc⁸: President Barak Obama, White House
US Secretary of State John Kerry, US State Department
Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management
Joanne Hunter, Office of American Citizen Services and Crisis Management
Deputy Assistant Secretary, Jim D. Pettit, Overseas Citizens Services, US State Department
Assistant Secretary, Michael H. Posner, Bureau of Democracy, Human Rights and Labor, US State Department
Ambassador-at-Large Stephen J. Rapp, Office of Global Criminal Justice, US State Department
Deputy, Beth Van Schaack, Office of Global Criminal Justice, US State Department
Ambassador Alan D. Solomont, Embassy of the United States Spain
General Consul Peggy Gennatiempo, Embassy of the United States Spain

⁸ Posted on <http://worldpulse.com/node/64031>



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February 26, 2013

RE: Human rights violations under the failure to protect and the principle of due diligence –
Wilcox vs. Gonzalez de Alcala and *Gonzalez de Alcala vs. Wilcox / juzgado de Mostoles, Madrid, Spain*

Dear Ms. Namde,

I am contacting the US State Department in regards to my divorce/domestic violence case in Spain. Please find enclosed my recent correspondence to the American Consulate in Madrid, once again requesting their assistance under the Convention of Consular Relations.

I am hereby again requesting that the US State Department in Washington, DC, request that the American Consulate in Madrid provide me with the assistance I am soliciting under the Convention of Consular Relations¹, U.S. Department of State Foreign Affairs Manual – Consular Affairs (FAM - General Guidelines for Victims of Crimes / Victims of Domestic Abuse,) and Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, inter alia.

For your convenience, please find enclosed past correspondence in regards to my case:

- Correspondence with the US State Department, Office of American Citizen Services and Crisis Management in Washington, DC, and American Consulate in Madrid, etc. (2007-2010)
- A complaint to the *United Nations Entity for Gender Equality and the Empowerment Women – Commission on the Status of Women* (2012) for human rights violations and discrimination against women by Spanish State and non-State actors (supporting documents are posted on <http://worldpulse.com/node/557300>.)
- A complaint to the Spanish *Defensor del Pueblo* and *Consejo General de Poder Judicial* (2012) for constitutional, civil and human rights violations by *el juzgado de Mostoles*,

Spanish government and non-government agencies, and my legal counsel (full document and supporting documents are posted on <http://worldpulse.com/node/52011>)

- A complaint to the Spanish *Instituto de Mujer* (2012) for discrimination against women in Spanish family courts – English translation (original Spanish version and supporting documents are posted on <http://worldpulse.com/node/50602>)

In efforts to exhaust all remedies at my disposal, before initiating litigation within the international courts against Spain for human rights violations under their obligation to protect and the principle of due diligence,¹ I will be filing an official complaint with the *Colegio de Abogado de Madrid* against my legal counsel for their negligence between 2007 and 2012 (under the Spanish Constitution, civil code, and penal code). My complaint and supporting documents are posted on <http://worldpulse.com/node/52999>.

It should be noted that the names of the following legal counsel were obtained directly and/or indirectly from the American Embassy in Spain's website:

- Señor Gonzalo Martínez de Haro de Viñador, Carlos y Asociados - Juicio Rápido 607/2007 Wilcox vs. González de Alcalá
- Señora Belén García Martín, de Plehn Abogados (Steven Plehn) - Medias a la Previa 1140/2007 González de Alcalá vs. Wilcox
- Jorge Capell Cuatrecasas, Gonçalves Pereira - Divorcio Contencioso 1143/2007 González de Alcalá vs. Wilcox

I will also be re-submitting my complaints to the *Defensor del Pueblo* and *Consejo General de Poder Judicial*. I trust that the US State Department, and the American Embassy and Consulate in Madrid will assure, through appropriate channels, that all my complaints and allegations will be examined and investigated, with responsible parties being held accountable; using the highest standards of diligence and to the letter of the law.

Seventy percent of international child abduction cases under the Hague Convention are women fleeing domestic abuse and a government's failure to protect (<http://www.haguedv.org/reports>.) These women are being held to the letter of the law by sending and receiving States, facing criminal charges and incarceration for extend periods of time. In my case, I am requesting that legal counsel and other judicial actors in Spain be held to the same standard as these women; anything less is discrimination and in violation of Spanish and international law.

The prevalence of the problems that I have encountered within the Spanish legal system in the past 6 years is well documented by Amnesty International and various UN Commissions, detailed in report after report (posted on <http://worldpulse.com/node/55730>.) My case clearly demonstrates to what extent deeply entrenched cultural norms and traditions that discriminate against and perpetuate the domination of women in a society preclude even the most progressive of laws and legal codes.

Under the Spanish Constitution, civil code and Equality Act 3/2007, women in Spain are accorded more rights than any other country in the world. However, due to rampant

¹ as established by the Inter-American Commission on Human Rights *Gonzales vs. USA* (2011- www.aclu.org/human-rights-womens-rights/jessica-gonzales-v-usa) & *Velazquez vs. Honduras* and the European Courts on Human Rights in *A vs. UK*

discrimination and corruption within their judicial system,² women are unable to enjoy or exercise those rights.

My case not only involves my right to life and security, and the right to protection of those rights by implicated State and non-State actors, but my right to work (see Structure & Concept of Global Expats on www.global-xpats.com/al/documents.) The threats and manipulations of my ex-husband (and other family members) in the past 6 years have been with the expressed intention of preventing me from developing my project, as well as financial independence for me and my children. State and non-State actors who have knowingly or un-unknowingly been complicit in his (their) efforts are responsible for human rights violations as well as any and all damages produced (under Spanish and international law.)

Violence against, and intimidation/oppression of women, are not “civil disputes” or “private matters,” as US State Department officials have constantly contended in my case. Violence against, and intimidation/oppression of women, whether it is sanctioned by executive decree of a State, or transpires due to a State’s failure to protect, are human rights violation.

Thank you in advance for your time and consideration. If you should require further information, or have any questions, please feel free to contact me at quenby@global-xpats.com or (202) 213-4911.

Sincerely,



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cc³: President Barak Obama, White House
US Secretary of State John Kerry, US State Department
Assistant Secretary, Consular Affairs Janice L. Jacobs, US State Department
Joanne Hunter, Office of American Citizen Services and Crisis Management
Deputy Assistant Secretary, Jim D. Pettit, Overseas Citizens Services, US State Department
Assistant Secretary, Michael H. Posner, Bureau of Democracy, Human Rights and Labor, US State Department
Ambassador-at-Large Stephen J. Rapp, Office of Global Criminal Justice, US State Department
Deputy, Beth Van Schaack, Office of Global Criminal Justice, US State Department
Ambassador Alan D. Solomont, Embassy of the United States Spain
General Consul Peggy Gennatiempo, Embassy of the United States Spain

ⁱ The Convention of Consular Relations states
“Article 2 Establishment of consular relations

² The definition of corruption used is that of Amnesty International; Transparency International; The Internacional Council on Human Rights Policy; Edgardo Buscaglia and Jan van Dijk, Crime Prevention and Criminal Justice Officer and Officer-in-Charge, Human Security Branch, United Nations Office on Drugs and Crime in Controlling Organized Crime and Corruption in the Public Sector; inter alia.

³ Posted on <http://worldpulse.com/node/64031>

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1. The establishment of consular relations between States takes place by mutual consent.
 2. The consent given to the establishment of diplomatic relations between two States implies, unless otherwise stated, consent to the establishment of consular relations.
 3. The severance of diplomatic relations shall not *ipso facto* involve the severance of consular relations.

Art. 5 Consular functions consist in:

- (a) protecting in the receiving State the interests of the sending State and of its nationals, both individuals and bodies corporate, within the limits permitted by international law;
- (h) safeguarding, within the limits imposed by the laws and regulations of the receiving State, the interests of minors and other persons lacking full capacity who are nationals of the sending State, particularly where any guardianship or trusteeship is required with respect to such persons;
- (i) subject to the practices and procedures obtaining in the receiving State, representing or arranging appropriate representation for nationals of the sending State before the tribunals and other authorities of the receiving State, for the purpose of obtaining, in accordance with the laws and regulations of the receiving State, provisional measures for the preservation of the rights and interests of these nationals, where, because of absence or any other reason, such nationals are unable at the proper time to assume the defence of their rights and interests;
- (j) transmitting judicial and extrajudicial documents or executing letters rogatory or commissions to take evidence for the courts of the sending State in accordance with international agreements in force or, in the absence of such international agreements, in any other manner compatible with the laws and regulations of the receiving State;
- (m) performing any other functions entrusted to a consular post by the sending State which are not prohibited by the laws and regulations of the receiving State or to which no objection is taken by the receiving State or which are referred to in the international agreements in force between the sending State and the receiving State.”

Article 36

Communication and contact with nationals of the sending State

1. With a view to facilitating the exercise of consular functions relating to nationals of the sending State:

(a) consular officers shall be free to communicate with nationals of the sending State and to have access to them. Nationals of the sending State shall have the same freedom with respect to communication with and access to consular officers of the sending State;

(b) if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication

addressed to the consular post by the person arrested, in prison, custody or detention shall be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this subparagraph;

(c) consular officers shall have the right to visit a national of the sending State who is in prison, custody or detention, to converse and correspond with him and to arrange for his legal representation. They shall also have the right to visit any national of the sending State who is in prison, custody or detention in their district in pursuance of a judgement. Nevertheless, consular officers shall refrain from taking action on behalf of a national who is in prison, custody or detention if he expressly opposes such action.

2. The rights referred to in paragraph 1 of this article shall be exercised in conformity with the laws and regulations of the receiving State, subject to the proviso, however, that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under this article are intended.

Article 37

Information in cases of deaths, guardianship or trusteeship, wrecks and air accidents. If the relevant information is available to the competent authorities of the receiving State, such authorities shall have the duty:

(a) in the case of the death of a national of the sending State, to inform without delay the consular post in whose district the death occurred;

(b) to inform the competent consular post without delay of any case where the appointment of a guardian or trustee appears to be in the interests of a minor or other person lacking full capacity who is a national of the sending State. The giving of this information shall, however, be without prejudice to the operation of the laws and regulations of the receiving State concerning such appointments;

(c) if a vessel, having the nationality of the sending State, is wrecked or runs aground in the territorial sea or internal waters of the receiving State, or if an aircraft registered in the sending State suffers an accident on the territory of the receiving State, to inform without delay the consular post nearest to the scene of the occurrence.

Article 38

Communication with the authorities of the receiving State In the exercise of their functions, consular officers may address:

(a) the competent local authorities of their consular district;

(b) the competent central authorities of the receiving State if and to the extent that this is allowed by the laws, regulations and usages of the receiving State or by the relevant international agreements.



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Alan Solomont
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28006 Madrid, Spain

February 26, 2013

RE: Domestic abuse as a human rights violation, and a State's obligation to protect

Dear Ambassador Solomont,

I am once again contacting you regarding Americans living abroad in cases of divorce, custodial hearings and domestic abuse. In the past 6 years the American Embassy/Consulate in Madrid, as well as the US State Department, Consular Affairs Division in Washington, DC have contended that cases of domestic abuse/divorce of American women and children living abroad are "private matters" and "civil disputes," and that they are under no obligation to assure that the rights and interests of Americans are respected in foreign courts and foreign jurisdictions.

This position is contradicted by the promises, speeches and rhetoric of US government officials (President Obama, Vice-President Biden, US Secretary of State John Kerry, Former US Secretary of State Hillary Clinton, postings on the US State Department website, and publications of the US State Department^{i ii}). It is also contradicted by legal precedents in human rights law (Inter-American Commission on Human Rights, *Gonzales vs. USA* and *Velasquez vs. Honduras*, and the European Courts of Human Rights in *A vs. UK*, www.aclu.org/human-rights-womens-rights/jessica-gonzales-v-usa), which establishes a State's obligation to protect under the principle of due diligence. And, it is further contradicted by the guidelines set down in FAM, for Americans living abroad, victims of crime/domestic abuse.

The American Consulate in Madrid's policy of non-compliance with art. 5, 36, 37 & 38 of the Convention of Consular Affairs, FAM¹, and human rights law, inter alia in conjunction with the lack of due diligence by government regulatory agencies in Spain² sends a clear message of impunity to judicial actors in Spain, who are thereby in a position to abuse their powers and violate the rights of American residents.

The lack of due diligence by State and non-State actors, in the protection of victims of domestic abuse in Spain, is well documented in reports by Amnesty International and my complaint to the *United Nations Entity for Gender Equality and the Empowerment of Women – Commission on the Status of Women* against the Spanish government for their systematic failure to protect (posted on <http://worldpulse.com/node/55730>.)

At present and before presenting my caseⁱⁱⁱ to the international courts, I am exhausting my last option within the Spanish judicial system; an official complaint to the *Colegio de Abogados* against my legal counsel (**3 of which came from the American Embassy website; Gonzalo Martinez de Haro of Vinader, Carlos y Asociados; Belen Garcia Martin, Plehn Abogado; Jorge Capell of Cuatrecasas, Gonçalves Pereira.**)

As an act of good faith, and in my efforts to avoid future litigation, I am once again soliciting the assistance of the American Consulate in Madrid under the Convention of Consular Relations and other applicable international treaties,³ to assure that the *Colegio de Abogados*, *Defensor del Pueblo*, and *Consejo General del Poder Judicial* examine and investigate my allegations and the facts of my case with the highest standard of diligence; holding all responsible parties accountable to the letter of the law. Please see enclosed my letter to Consul General Peggy Gennatiempo requesting assistance.

As the American Consulate is aware (as they have diligently been informed of the facts of my case from the onset) my ex-husband's violence and threats upon my life (and blocking of access to all assets and funds) were caused by his efforts to prevent me from providing financial independence for me and my children⁴, and the creation of Global Expats. Legal counsel and court officials who have been complicit in these efforts, are accessories to his crimes and responsible for all and any financial damages incurred by me and my company.

¹ U.S. Department of State Foreign Affairs Manual Volume 7 - Consular Affairs (Victims of Crime / Domestic Abuse)

² Complaint to the *Defensor del Pueblo* and *Consejo General del Poder Judicial* <http://worldpulse.com/node/55730> and *Instituto de Mujer* <http://worldpulse.com/node/50602> in *Gonzalez de Alcala vs. Wilcox*

³ Convention on Human Rights, Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, Declaration on the Elimination of Violence Against Women, Declaration on the Elimination of Discrimination Against Women, International Covenant on Economic, Social and Cultural Rights, and Convention of Civil and Political Rights

⁴ The manipulations and efforts of my ex-husband are text-book examples of the oppression of women, and how and why financial dependence of a woman is of utmost importance in the domination of women. The widely held belief that putting women in positions of power will bring "equality to the sexes" is naïve, and fails to understand the anthropological/sociological/psychological role that women have historically played in maintaining male-dominated societies. The actions of lawyers and judges in my case (Ms. Guerrero Guerrero, Ms. García Martín, Ms. Pilar Saldaña Cuesta, Ms. Rosario Hernández Hernández, etc.) are perfect examples of women's role in society's oppression of women (

Global Expats is modeled after the Federation of American Women's Clubs Overseas (FAWCO), but is a revenue-generating entity which remunerates its *trailing spouse* managers and employees, as well as assistants them in career maintenance and entrepreneurial efforts. Revenues are generated from a networking/local search, city-guide global website with present estimated lost opportunity costs at \$200 million.

For your convenience, please find attached a presentation on Global Expats, which includes the financial performance of comparable websites in the past 5 years, and my correspondence with the American Embassy in March 2007 in its regard. The present explosive success of *local search* and Networking websites (Web 2.0,) as well as advertising on the Internet was anticipated in report after report in 2005-06. Global Expats and www.global-xpats.com, was based on extensive market research at the time, and was designed to take advantage of Web 2.0 as well as fulfill the needs of expats families and the global mobility industry. As you can see in my Business Plan (<http://worldpulse.com/node/44543>) even though the development of Global Expats has been prevented for the past 6 years, its concept is still innovative and revolutionary, and ready to take the lead in the ever-evolving Internet (Web 3.0.)

International organizations such as the IMF⁵, World Bank⁶ and United Nations⁷ are increasingly examining the link between corruption and the present economic crisis. My case provides a

⁵ Factsheet - The IMF and Good Governance (www.imf.org/external/np/exr/facts/gov.htm), Improving Governance and Fighting Corruption (www.imf.org/external/pubs/ft/issues/issues21/index.htm), Corruption and Development (<http://www.imf.org/external/pubs/ft/fandd/1998/03/pdf/gray.pdf>), Roads to Nowhere: How Corruption in Public Investment Hurts Growth (<http://www.imf.org/external/pubs/ft/issues12/index.htm>), Economic Issues No. 6 -- Why Worry About Corruption? -- IMF (www.imf.org/external/pubs/ft/issues6/index.htm)

⁶ Corruption and Economic Development (<http://www1.worldbank.org/publicsector/anticorrupt/corruptn/cor02.htm>), World Bank Institute (<http://wbi.worldbank.org/wbi/topic/governance>), Measuring and reducing the impact of corruption in infrastructure (<http://documents.worldbank.org/curated/en/2006/12/7269830/measuring-reducing-impact-corruption-infrastructure>), Anti-corruption policies and programs : a framework for evaluation (<http://documents.worldbank.org/curated/en/2000/12/748708/anti-corruption-policies-programs-framework-evaluation>), The silence of corruption : identifying underreporting of business corruption through randomized response techniques (<http://documents.worldbank.org/curated/en/2011/06/14420546/silence-corruption-identifying-underreporting-business-corruption-through-randomized-response-techniques>), A trio of perspectives on corruption : bias, speed money and "grand theft infrastructure" (<http://documents.worldbank.org/curated/en/2011/11/15505870/trio-perspectives-corruption-bias-speed-money-grand-theft-infrastructure>), Social marketing strategies to fight corruption (<http://documents.worldbank.org/curated/en/1998/01/440233/social-marketing-strategies-fight-corruption>), Corruption and development (<http://documents.worldbank.org/curated/en/1998/05/438765/corruption-development>), Enrichment with growth (<http://documents.worldbank.org/curated/en/2011/10/15348701/enrichment-growth>), Building public support for anti-corruption efforts : why anti-corruption agencies need to communicate and how (<http://documents.worldbank.org/curated/en/2010/01/12204776/building-public-support-anti-corruption-efforts-anti-corruption-agencies-need-communicate>), An analysis of the causes of corruption in the judiciary (<http://documents.worldbank.org/curated/en/1999/08/437874/analysis-causes-corruption-judiciary>), Corruption in economic development - beneficial grease, minor annoyance, or major obstacle? (<http://documents.worldbank.org/curated/en/1999/02/438609/corruption-economic-development-beneficial-grease-minor-annoyance-or-major-obstacle>), Experiments in culture and corruption : a review (<http://documents.worldbank.org/curated/en/2012/05/16259932/experiments-culture-corruption-review>)

⁷ Corruption and the Global Economy (<http://mirror.undp.org/magnet/Docs/efa/corruption/Chapter02.pdf>), The Cost of Corruption (www.un.org/events/10thcongress/2088b.htm), Organized Crime - United Nations Office on Drugs and Crime (www.unodc.org/unodc/en/organized-crime/index.html), United Nations Convention against Corruption (<http://www.unodc.org/unodc/en/treaties/CAC/>), Struggle against Organized Crime, Corruption, Drug Trafficking (www.un.org/News/Press/docs/2010/gashc3975.doc.htm), Fighting Transnational Organized Crime - the United Nations (www.un.org/events/10thcongress/2088f.htm), The study to examine the links between organised Crime and Corruption (<http://ec.europa.eu/>)

perfect case-study on how and why widespread corruption in the courts impedes economic growth and entrepreneurial development; and the role negligent governance by regulatory agencies is playing in promoting widespread corruption in the courts.⁸

Traditions and customs, which silent victims of domestic abuse are omni-present in Spanish society, and justified under the belief that protection of the “family honor” is for the “greater good.” In most cases victims have little understanding of legal codes and principles, and are easily duped by unscrupulous judicial actors who abuse their power with total impunity. In my case, not only have I understood the dynamics involved, but have documented all irregularities and infractions of the law.

My legal battles are no longer only about the particulars of my own case, and recuperation of financial damages, but are about establishing proper protocol and “good practices” that will prevent the violation of the rights of other women and children in the future. Preventing the violation of the rights of American women and children in foreign courts is not as difficult as many US State Department employees pretend, but will necessitate a commitment from American Embassies and Consulates to utilize their power and authority under the Convention of Consular Relations and other applicable international treaties.

It is to this end that I hope the American Embassy and Consulate in Madrid will assure, through appropriate channels and as provided for under international law, that the *Colegio de Abogados*, *Defensor del Pueblos* and *Consejo General del Poder Judicial* will thoroughly investigate the facts of my case, holding all judicial actors responsible for their professional and criminal negligence.

For your convenience, I am including a copy of my correspondence to other US State Department officials which provide additional information about the issues involved and the enormity and gravity of the situation.

I thank you in advance for your time and consideration. Please feel free to contact me at Quenby@global-xpats.com or (202) 213-4911 with any questions or requests for additional information.

Sincerely,



Quenby Wilcox
Founder – Global Expats
www.global-xpats.com
quenby@global-xpats.com

⁸ The importance of the role that government agencies play in assuring transparency, integrity and accountability of the industry it regulates is clearly demonstrated in *Governance of Financial Supervisors and its Effects – A Stocktaking Exercise* by Marc Quintyn <http://ideas.repec.org/b/erf/erfstu/47.html>.

cc⁹: President Barak Obama, White House

US Secretary of State John Kerry, US State Department

Assistant Secretary, Consular Affairs Janice L. Jacobs, US State Department

Deputy Assistant Secretary, Jim D. Pettit, Overseas Citizens Services, US State Department

Assistant Secretary, Michael H. Posner, Bureau of Democracy, Human Rights and Labor, US State Department

Ambassador-at-Large Stephen J. Rapp, Office of Global Criminal Justice, US State Department

Deputy, Beth Van Schaack, Office of Global Criminal Justice, US State Department

Joyce Namde, European Division Director, Office of American Citizen Services and Crisis Management

Joanne Hunter, Office of American Citizen Services and Crisis Management

General Consul Peggy Gennatiempo, Embassy of the United States Spain

ⁱ *US State Department »Under Secretary for Civilian Security, Democracy, and Human Rights »
Bureau of Democracy, Human Rights, and Labor » Human Right*

www.state.gov/j/drl/hr/index.htm

The protection of fundamental human rights was a foundation stone in the establishment of the United States over 200 years ago. Since then, a central goal of U.S. foreign policy has been the promotion of respect for human rights, as embodied in the Universal Declaration of Human Rights. The United States understands that the existence of human rights helps secure the peace, deter aggression, promote the rule of law, combat crime and corruption, strengthen democracies, and prevent humanitarian crises.

Because the promotion of human rights is an important national interest, the United States seeks to:

Hold governments accountable to their obligations under universal human rights norms and international human rights instruments;

Promote greater respect for human rights, including freedom from torture, freedom of expression, press freedom, women's rights, children's rights, and the protection of minorities;

Promote the rule of law, seek accountability, and change cultures of impunity;

Assist efforts to reform and strengthen the institutional capacity of the Office of the UN High Commissioner for Human Rights and the UN Commission on Human Rights; and

Coordinate human rights activities with important allies, including the EU, and regional organizations.

The Bureau of Democracy, Human Rights, and Labor (DRL) applies three key principles to its work on human rights:

- *DRL strives to learn the truth and state the facts in all of its human rights investigations, reports on country conditions, speeches and votes in the UN, and asylum profiles*
- *DRL takes consistent positions concerning past, present, and future abuses. With regard to past abuses, it actively promotes accountability.*
- *DRL forges and maintains partnerships with organizations, governments, and multilateral institutions committed to human right.ⁱ*

**U.S. Human Rights Commitments and Pledges
Bureau of Democracy, Human Rights, and Labor
Washington, DC - April 16, 2009**

www.state.gov/j/drl/rls/fs/2009/121764.htm

*We are dedicated to combating both overt and subtle forms of racism and discrimination internationally. The United States is party to the International Covenant on the Elimination of All Forms of Racial Discrimination, and is committed to seeing the goals of this covenant fully realized. Particular emphasis should be placed not only on eliminating any remaining legal barriers to equality, but also on **confronting the reality of continuing discrimination and inequality within institutions and societies.***

Patrick F. Kennedy, Under Secretary for Management, US State Department,

Statement to the Senate Committee on the Judiciary

Advantages to the USA in complying with the

Convention of Consular Affairs in their assistance to American's living abroad

The protection of U.S. citizens abroad ranks among the Secretary's and the Department's absolute highest priorities

Without guaranteed consular assistance, Americans cannot travel the world freely, safely, and with peace of mind

⁹ Posted on <http://worldpulse.com/node/64031>

When a U.S. citizen finds him or herself in a foreign government's custody, a consular officer is often the best, and sometimes only, resource that citizen has as he or she navigates a foreign legal system.

*We find these services especially critical in countries that do not respect due process of law and fundamental rights
Ensuring compliance with our legal obligations is essential to our foreign relations and close bilateral relationships
Our treaties are critical to protecting U.S. sovereign interests... facilitate our businesses' international economic relationships.*

Chief Justice Roberts' opinion for the Court recognized that judgment as a binding international legal obligation, and agreed that the United States' interests in observance of the Vienna Convention, in protecting relations with foreign governments, and in demonstrating commitment to the international rule of law through compliance with that judgment were —plainly compelling

United States Strategy to Prevent and Respond to Gender-based Violence Globally

www.state.gov/documents/organization/196468.pdf

"We also know that countries are more likely to prosper when they tap the talents of all their people. And that's why we're investing in the health, education and rights of women, and working to empower the next generation of women entrepreneurs and leaders. Because when mothers and daughters have access to opportunity, that's when economies grow, that's when governance improves." – President Barack Obama, Remarks at the Millennium Development Goals Summit, United Nations Headquarters, New York, New York, September 22, 2010

"Around the globe, violence against women is an epidemic. Violence robs women and girls of their full potential and causes untold human suffering. Violence against women impedes economic development, threatens peace and prosperity, and inhibits full participation in civic life. For every woman who has been beaten in her own home, for the millions of women who have been raped as a weapon of war, for every girl who has been attacked on her way to school, for all of the children—girls and boys—who have witnessed this brutality, we must do better." – Vice President Joe Biden, Statement on the Anniversary of the International Day for the Elimination of Violence Against Women, November 24, 2010

"It is time for all of us to assume our responsibility to go beyond condemning this behavior, to taking concrete steps to end it, to make it sociably unacceptable, to recognize it is not cultural; it is criminal." – Secretary of State Hillary Clinton, Remarks on the Adoption of a United Nations Security Council Resolution to Combat Sexual Violence in Armed Conflict, United Nations Headquarters, New York, New York, September 30, 2009

ⁱⁱ Mechanisms to Prevent and Respond to Gender-based Violence

www.state.gov/documents/organization/196468.pdf

The Department of State will employ various mechanisms to ensure a coordinated process for enhanced intra- and inter-agency coordination on addressing gender-based violence. The mechanisms outlined below mirror the framework detailed in the Secretary's Policy Guidance on Promoting Gender Equality, and will be integrated across existing coordinating bodies on gender issues, both in Washington and within embassies and missions.

Strategic and Budget Planning

Under the Secretary's Policy Guidance, relevant Department of State bureaus and embassies will develop strategies to promote gender equality and advance the status of women and girls across geographic regions and functional bureaus. Bureau and country strategies to address gender issues will be developed as part of the Department of State's ongoing strategic planning and budgeting process. Strategies will be grounded in analysis of existing inequalities and focused on action items that the Department and embassies can advance in both near-term and longer-term timeframes. To implement the strategy on gender-based violence, the Department of State will:

*Review relevant functional bureau strategic plans to ensure that gender-based violence is adequately addressed; and
Request that relevant regional bureaus and embassies include specific gender-based violence issues within their strategic plans, as applicable to specific country or regional contexts.*

Guided by newly-revised definitions and guidance to bureaus and embassies, current budget processes have been strengthened to more accurately represent budget levels for the following Key Issue areas: gender equality/women's empowerment (both primary and secondary attribution), gender-based violence, and women, peace, and security. The process informs the annual Congressional Budget Justification in these critical areas and serves to advance gender equality through both direct and integrated approaches. United States Strategy to Prevent and Respond to Gender-based Violence Globally 31

Policy and Programming

Embassies and bureaus will strive to ensure that the full range of U.S. policy and assistance programming identifies and addresses existing gender disparities, capitalizes on the unique skills and contributions of women and girls, and is accessible and responsive to ongoing challenges confronted by women and girls. In order to further this agenda on issues specific to gender-based violence, the Department of State will: Establish an intra-agency working group, consisting of representatives from a wide

range of bureaus and offices across the Department, to assist in internal coordination and integration of gender-based violence prevention and response in Department programming and policies.

The working group will share information and establish priorities, as well as coordinate existing policies and programs to eliminate gaps and effectively maximize existing resources.

Through existing policy and diplomatic mechanisms and programming, including the Secretary's International Fund for Women and Girls and S/GWI, the Department of State will: Advocate for development and implementation of laws and policies in other countries to monitor, prevent, and respond to gender-based violence. This includes work to strengthen institutions and support partner governments' efforts to develop appropriate legislation, harmonize laws and other provisions in the legal code, develop action plans for implementation, and help train oversight of and advocacy for implementation of the laws; Support capacity-building of and outreach to civil society, including the media, criminal justice sector, and health providers; Support civil society and community-level approaches to change behaviors and attitudes concerning violence and to facilitate discussion among families, community organizations, and religious, traditional, and other community leaders around human rights and gender-based violence, and effective ways to address these issues. Through these community level approaches, the Department will aim to target and engage:

- Men and boys;
- Female leaders and women's groups;
- Religious, faith-based, and community leaders; and
- Youth

Build off existing platforms (GHI, PEPFAR, etc.) and scale up programs that have been found effective, contingent on resources. This could include programs that integrate screening of and response to gender-based violence into health service delivery programs, as well as psychosocial support where feasible; or programs that require health and life skills programming for adolescent and pre-adolescent girls and boys, for example to address sexual coercion and abuse and promote elements of healthy relationships; Establish multi-sector linkages regarding violence prevention and response programs, with particular attention to the legal/judicial system and the education and economic sectors; and Address the causes, including root causes, of gender-based violence, especially violence against women and girls. This includes reducing barriers between women and men and girls and boys in economic, political, and civic arenas and implementing initiatives that protect human rights and raise societies' respect and value for all women and girls, including inclusive education and economic empowerment opportunities.

ⁱⁱⁱ Details of my own personal case and my efforts to protect and defend my rights, and the rights of others (as well as develop "good practices" and appropriate protocol in challenging and denouncing abusive and discriminatory traditions and customs in family courts) are as follows:

- **United Nations Entity for Gender Equality and the Empowerment of Women – Commission on the Status of Women against the Spanish government**, for the following violations: their failure to protect victims of gender violence; failure to assure due process: failure to prevent discrimination against women within judicial proceeding pertaining to divorce, custodial decisions, and liquidation of common assets; application of discriminatory norms against and stereotypes of women during judicial proceedings and decisions; the failure of government regulatory agencies to duly investigate complaints of lack of due process, discrimination, and negligence/corruption of State and non-State judicial actors (www.worldpulse.com/node/55730)
- **Official complaint to the Spanish Defensor del Pueblo and Consejo General del Poder Judicial** for constitutional, civil and human rights violations in Gonzalez de Alcala vs. Wilcox (www.worldpulse.com/node/52011)
- **Official complaint to the Spanish Instituto de Mujer** for discrimination against women in Gonzalez de Alcala vs. Wilcox (www.worldpulse.com/node/50602)
- **Letter to Quatrecasas, Gonçalves Pereira** (April 2012) requesting their assistance under their obligation to perform the previous unfulfilled contractual obligation of Jorge Capell, art. 1089, 1098, 1102, 1104, of the Spanish civil code, & art. 11, 29, 31, 109, 511 and 512 of the Spanish penal code, inter alia (www.worldpulse.com/node/62773)
- **Letter to Plehn Abogados** (December 2012) requesting his assistance in arriving at a financial settlement with all previous legal counsel (Gonzalo Martinez de Haro of Vanander, Carlos y Asociados (American Embassy website listing); Belen Garcia Martin (Plehn Abogado – American Embassy website listing); Jose Manuel Hernandez Jiménez (abogado de oficio); Jorge Capell of Cuatrecasas, Gonçalves Pereira (American Embassy website listing); Alberto Fontes Garcia Calamarte; Miguel Martinez Lopez de Asiain & Ignacio Gonzalez Martinez; and procuradoresⁱⁱⁱ Juan Bosco Hornedo Muguiri; Maria Pilar Lantero; Pilar Poveda Guerra; and Rafael Gamarra Megias) for their professional and criminal negligence in Wilcox vs. Gonzalez de Alcala (2007) and Gonzalez de Alcala vs. Wilcox (2007-2012); as an act of good faith and in order to avoid future litigation against them.

**Correspondence with U.S. State
Department Officials in regards to
Gonzalez de Alcala vs. Wilcox
2007—2011**

Quenby Wilcox
C/ Castillo de Malpica, 132
28692 Urb. Villafranca del Castillo
Madrid, Spain Tel. 34.91.810.2504 / 91.810.2353.

Ambassador Eduardo Aguirre
US Ambassador to the Kingdom of Spain and the Principality of Andorra
American Embassy
c/ Serrano, 75
28008 Madrid, Spain

Dear Ambassador Aguirre,

October 28, 2007

Because I am an American citizen residing in Madrid, I am once again contacting you as I am literally being held "hostage" in this country by my husband and its antiquated legal and judicial system. I am requesting the assistance of the American Consulate in assuring that my legal, civil and human rights are respected and protected here in Spain.

While in college I worked for the former Senator J. Bennett Johnston from Louisiana. One of the services that he provided to his constituents was assurance that their legal and civil rights were protected during judicial proceedings in his state. He no way influenced decisions or judgments; but all proceedings were closely monitored by his staff in order to assure that no prejudice or corruption was allowed to occur during these proceedings. I trust that the American Consulate in Madrid will provide me with this same service here in Spain.

On September 3, 2007 I filed a complaint against my husband's continual threats to kill me the proceeding day. After filing the complaint I contacted Senor Gonzalo Martinez de Haro of Vinander, Carlos y Asociados, whose name I had found on the American Embassy website and had consulted with in July 2007. Senor de Haro agreed to represent me the next day. On September 4, 2007 I presented myself along with Senor de Haro at *juzgado* of Mostoles, and after the trial he informed me that I would lose custody of my children because my husband had accused me of substance addiction. I found this ridiculous and decided to look for another lawyer.

Due to the fact that my husband has all of our assets and funds blocked in his name. I find myself at the mercy of the competence of a court appointed lawyer, even though our assets amount to over, €1,000,000. Unfortunately, I believe that my legal and civil rights will fail to be defended within the public system. Copies of my complaint, court proceedings are already on file at the American Embassy in Madrid, However, for your convenience I am including a copy of all pertinent documents as well as a detailed history or what transpired over the past months in regard to this case.

On March 12, 2007 I sent a correspondence to you, the American Consul General and one to your wife, Maria Teresa Aguirre, requesting assistance in contacting the appropriate person or persons within the State Department who could examine a project designed to assist the unemployed spouses of expatriated employees, for possible sponsorship by the US State Department. I received a response stating that the American Embassy does not advertise commercial websites on the Embassy web page.

I find it paradoxical that a for-profit Spanish lawyer, Senor de Haro, would be advertised on your web page, while a philanthropic one would not. Additionally, I feel that this lawyer, recommended by the American Embassy, was negligent in representing me due to prejudice against me as a woman and/or American.

When I do finally procure a lawyer and initiate divorce proceedings I fear for my own life and perhaps that of my 2 sons. Due to the stigma and the public humiliation surrounding problems like mine all too many women everywhere remain silent. All too many end up losing their lives.

I respectfully request the assistance of the American Consulate in protecting me from the archaic social and cultural norms in Spain, as provided for in the Convention of Consular Affairs (1963.)

Sincerely. Quenby Wilcox



Quenby Wilcox
Quenbywilcox2@gmail.com
(202) 213-4911

Peter Peticukis
US State Department, Assistant Secretary of Consular Affairs – Spain
2201 C St. NW,
Washington, DC 20037
(202) 736-4979

Dear Mr. Peticukis;

July 21, 2009

Per our conversation in April 2009 I am sending you some of the pertinent documents of my divorce case in Spain, with almost everything else on file at the US Consulate in Spain. It has taken me over 2 months to contact you as my first priority in arriving in DC was to get a roof over my head and a job to pay for it. I believe DC has already more than enough homeless and destitute asking for a hand-out on its streets without adding yet another one!!

In our conversation of April 2009, you questioned how the State Department might assist me in defending my rights, other than by recommending a lawyer in Spain; three of those already recommended by the American Consulate should be disbarred for their flagrant and blatant negligence in my case. While I think it should be obvious how the Embassy could have, and can in the future, assist me in a LEGAL AND PRACTICAL fashion, I will enumerate them as follows:

Officially request that the Spanish Consul here in Washington, DC assist me in obtaining a court appointed lawyer in Spain or finding out what document I need to register with them, in order to protect my assets. (A lawyer here in Washington, DC has informed me that such a document exists, but I have no idea what it is.) My present lawyer has failed to request 4 months of back alimony and another is asking for over \$10,000 in order to initiate liquidation of my assets. Since November 2007 access to approximately €300,000+ of liquid assets (plus possibly the equity in my home another €600,000(?) have been blocked from me through incompetence, corruption and more stupidity than I have ever seen.)

An official request from the US State department to the Spanish Consulate in Washington DC as to the time frame between an infraction of an offense in Spain, and the filing of a complaint with the *colegio de abogados*, *colegio de procuradores* and *colegio de psicologos*? Also, whether these complaints may be transmitted through the Spanish Consulate in Washington, DC. I have repeatedly asked this question, but been given evasive responses on each occasion.

AS SOON AS I CAN ASSURE THE SAFETY OF MY CHILDREN, request documentation of all and any visits by me, Quenby Wilcox, to the Centro de Genero and social service offices of Villanueva de la Canada, including visits with the *colegio de abogado* in Villanueva de la Canada, Majadahonda, and Madrid, (c/ Seranno, c/ Capitan Haya, and c/ Conde de Berlanda) dating from September 2007 to October 2008. Even though all of these are public records, I have consistently been denied access to them.

AS SOON AS I CAN ASSURE THE SAFETY OF MY CHILDREN, request copies of the entry log of in-coming telephone calls at the police station of Villanueva de la Canada on April 5-6 2008, as well as all the phone records of in-coming calls of the four police men who stopped and harassed me on that night. Once again public documents which I have already requested, but have been denied through my lawyer and through the police in Villanueva de la Canada.

Upon my return to Spain procure total and complete access to **ALL AND ANY FILES** of cases in which the judges, civil servants (including court psychologist, law enforcement officials, etc.) or lawyers from my case were involved. I made it clear to everyone that I would pursue my case and others like mine through every single legal channel at my disposition. Their reaction was “we do this all the time with absolutely no consequences,” and I have more than conclusive evidence that they do. According to **Amnesty International foreign women (myself included) have ¼ of 1% chance of survival, with Spanish women 28%**, and as I have found in my research over the past year many of these deaths are due to corruption, nepotism and incompetence within an archaic Spanish judicial system.

* For the moment that is all I can think of but am sure I will add things to the list in the coming years.

The American Consulate’s (and everyone else’s) attitude of “this is a divorce and civil matter - we don’t get involved between a man and his wife” is exactly why so many women and children die on a daily basis around the world. **From the USA to Afghanistan the social norms supporting the domination and subordination of women are the same, they are just different shades of grey.**

Additionally, the US Consulates contention that this is only a civil matter is completely false. There exists a myriad of penal offenses by various parties involved which are enumerated below and documented in the enclosed files:

1. **conspiracy to defraud**
2. **corruption of public officials**
3. **police harassment**
4. **illegal retention of funds and assets**
5. **death threats and attempted murder**
6. **torture and inhumane treatment**

Sincerely,

Quenby Wilcox

Email: Cirt\riuht.Moore@ntail.house.oov
SU 14th ST NW STE 900
Washington, DC 20045-1928
Fax (202) 783-5211

Name: Quenby Wilcox
Address: 1428 5th Street NW
City: State: Zip: Washington, DC 20001
Day Phone: (202) 623-7696 Evening Phone: (202) 213-4911
FAX: (202) 23-6887 Email: quenby@wilcox2.org
Social Security 435-35-2919 Other Claim Account. or file
NI Number: Nunber:
Date of Birth: 11/1/1963 Agency:
USCIS "A" OWCP "A"
NI Number: Nutner:
•You probably don't have these numbers.
Please state the result you want:

1. That the US State Department, Office of Consular Affairs. Peter J. Lukis, comply with my requests that the US State Department assist me in defending my rights in Spain as provided by under the Convention of Consular Affairs and various International Treaties of which the USA and Spain are signatory.

2. Obtain a court-appointed lawyer in Spain (as is my right under the Spanish Constitution,) through the Spanish Consulate in Washington, DC, that will faithfully and competently liquidate my assets (in Spain,) and depose any and all court documents in Spain as instructed by my or my legal counsel here in the USA.

2. Assurance that all deposition and processing of complaints to the <'Oligo de alx gad':r and any other personnel Spanish public organizations pertaining to my case, are correctly processed, and that injurious parties are held accountable for their neglect to the full extent of the law.

Please describe your problem. You may use additional sheets and attach copies of relevant documents:

Plaintiff (C) below document, which provides a link-line of the exorbitant negligence in ("InIP" (tnt:t" in,olved in my divorce in Spain, during which my children were illegally and unconstitutionally removed from my custody and all access to my assets (approx. \$1 million) have been consistently denied.

(OVER)

Pursuant to the Privacy Act, I hereby give Congress SS\01nan Eleanor Holmes Norton permission to assist me with the above matter.

Signature: J. U-4/2/J : 11/28/2010

Please return the signed release to: Cong. Eleanor Holmes Norton
Do Not Send Original Documents, Send Copies Only.



Quenby Wilcox
1428 5th Street, NW
Washington, DC 20001
Quenbywilcox2@gmail.com
Tel. 202-623-7696 cel. 202-213-4911

Cartwright Moore
Congresswoman Eleanor Holmes Norton
529 14th Street, NW, Suite 900
Washington, DC 20045-1928
Tel. (202)783-5065

Dear Mr. Moore,

September 20, 2010

I would like to thank you for your letter dated March 19, 2010 on behalf of Congresswoman Eleanor Holmes Norton. For your convenience I have enclosed my latest correspondence to the American State Department in Washington and the American Embassy in Spain.

It is my sincere hope that in the coming months, with the help of my latest lawyer and under the surveillance of the American Consulate in Spain, my case may be resolved in an amicable and equitable manner for my ex-husband, myself and above all my children.

Unfortunately, the problems I have faced are not unusual within divorce courts and custody battles, particularly in cases of domestic abuse. The Leadership Council in the USA estimates that abusive parents are being awarded custody of their children at a rate of 70%, with reports by Amnesty International painting a much bleaker picture in western European countries.

The ultimate goals of my work as an adult has been to promote the rights of women and children at grass-roots levels, under progressive laws, as I truly believe that is where the key to global advancement lay. However, after my own recent experience within a judicial system, I have come to realize the extent to which the success of political solutions rests within our courts. While legislation may provide the opportunity for the advancement of rights, it is on a case by case basis in judicial systems that these rights are upheld or violated.

When I was young I intended on entering the world of global politics, and why I chose to attend a university in Washington, DC. During those years I had the honor and good fortune to work on Capitol Hill for former Senator J. Bennett Johnston, but very quickly became disheartened by the harsh realities and inner workings of the political process. However, I never lost my passion for or dedication to political and social activism.

Thank you again for you interest and assistance.

Sincerely,

Quenby Wilcox
Global Expats, Founder
www.global-expats.com

Enclosure: Of Exes and Expatriates by Niv Elis – Quotidian Dissent
Judicial irregularities in the case of Quenby Wilcox with attachments

Correspondence to:

Andrew T. Miller European Division Director, Office of American Citizen Services and Crisis Management
Carrie Greene, Office of American Citizen Services and Crisis Management American Consul
Penny Gennatiempo, American Consul, American Embassy in Madrid, Spain
Ambassador Alan D. Solomont, American Embassy in Madrid, Spain
Ambassador Eduardo Aguirre, American Embassy in Madrid, Spain, October 2007
Daniel Keller, American Consul, American Embassy in Madrid, Spain, March, 2007
Ann DeLong Greenberg, **Family Liaison Office**, U.S. Department of State, March 2007

Cc : Andrew T. Miller European Division Director, Office of American Citizen Services and Crisis Management
Carrie Greene, Office of American Citizen Services and Crisis Management
American Consul, American Embassy in Madrid, Spain Peggy Gennatiempo

Quotidian DL:it:itcH..t.

Text July 29, 2010 5 Comments

PEOPLE I FOLLOW

Of Exes and Expatriates

Quenby Wilcox hasn't seen her children in over two years. She has no access to her assets or her fledgling business. Her life has been thrown off course by an issue that affects millions of people around the world: divorce. As messy as ending a marriage can be on its own, Wilcox faces the added complications of competing national jurisdictions and international law.

Originally from Louisiana and educated at George Washington University, Wilcox ended up marrying a Spanish man, whose employment with a multi-national corporation took them all over the world. As a so-called "trailing spouse," she followed her husband's employment to Paris, Miami, back to Paris, Madrid, Brussels, Paris again, Bogota, and finally Madrid again. Often unable to get work permits or stay local long enough to cultivate a career, she focused her attention on raising their two children. But over time, says Wilcox, the marriage soured and her husband became abusive (While she refers to psychological abuse, she specifies that there was never any physical violence). When they got divorced in Spain, she says, she was left out in the cold.

"Basically, if you're the foreigner and the spouse is the national, they win everything," says Wilcox.

Unfortunately, such cases are not uncommon. Few legal protections exist for expatriate spouses, even in rich countries like Japan, Australia, and many European countries.

According to Paula Lucas, the founder of the Americans Overseas Domestic Violence Crisis Center, an American living abroad may face enormous obstacles, especially in abusive situations. Having escaped an abusive husband in the United Arab Emirates with her children in tow a decade ago, Lucas knows the legal difficulties or seeking international custody personally.

"There's a bias to give custody to the national, rather than the foreign parent," says Lucas. Furthermore, would-be divorcees often lack funds for legal help and face language barriers in court. They may be stripped of their legal standing in the country, denied visitation rights, and have difficulty accessing their assets if they leave the country. Worst of all, provisions of the Hague Convention on the Civil Aspects of International Child Abduction, a treaty designed to protect children from being kidnapped and taken abroad, fail to adequately account for abusive circumstances (for more information, see [The Hague Domestic Violence Protocol](#)).

In the first six months of this year alone, Lucas's Crisis center received 1,189 calls from 281 expatriated men and women representing 254 children. "What you think of as an American when you leave the country is 'I can come home whenever I want,'" says Lucas. But as Quenby Wilcox learned, that's not always so easy.



Having spent 20 years outside the labor force, lacking a credit history, and facing a well-connected ex-husband, Wilcox returned to the United States with only a suitcase in her hand. She found a job at a DC temp agency, rented a room, and sought to make imroads with US-based advocacy organizations. "All I want is my money and to go back to Spain and live with my Kids." So far, she's tried the State Department, the Justice Department, the American Consulate in Madrid, and even got Congresswoman Eleanor Norton Holmes to write a letter to the State Department on her behalf, but to no avail. "Everybody just keeps passing the buck."

Until she can get her assets unfrozen, Wilcox is working to change the international legal provisions and judicial rulings that have caused her so much grief. And so, during her two week vacation from the temp agency, she is picketing at the White House, the State Department, and the Department of Justice, if not to change policy directly then to get support on her judicial quest. She has demonstrated with women fighting similar issues in American courts, as well as with men fighting for better visitation rights. Her Facebook causes page, entitled "Safe Child International," has so far has attracted 400 supporters.



Once she raises some capital, her plan is to rewrite an idea for an organization she started in Spain called "Global Expats" originally intended to help trailing spouses with childcare issues, cultural adaptation, and finding jobs. "I didn't realize that one of the things I'd be doing in the future was assisting women with domestic violence situations."

Given the myriad financial, emotional, and legal stumbling blocks expatriates face, they could surely use the extra help.

-Niv Elis

<http://www.quotidianndissent.com/post/876761269/of-exes-and-expatriates>



March 17, 2010

Quenby Wilcox
1428 5th Street, NW
Washington, DC 20001
Day: 202 623 7696
Night: 202-213-491 1
quenbywilcox2@gmail.com

Dear Ms. Wilcox,

This letter is in reply to your January 28, 2010 e-mail, received in our office on March 4, 2010, to Member of Congress Eleanor Holmes Norton regarding legal matters in Spain.

With regard to your inquiry, we cannot intervene in civil disputes. We are, however, enclosing a list of English-speaking attorneys in Spain that can be found on the U.S. Embassy Madrid website. You may also wish to contact the Embassy of Spain at 2375 Pennsylvania Avenue NW, Washington, DC 20037, telephone (202) 452 0100.

We hope this information is helpful to you. Should you have any additional questions, please contact Carrie Greene in the Office of American Citizens Services and Crisis Management at: (202) 663-3945. You may also contact the U.S. Citizens Services section within U.S. Embassy Madrid; their information is available within the U.S. Embassy Madrid website at <http://madrid.usembassy.gov/cons/services.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "A. T. Miller".

Andrew T. Miller
European Division Director
Office of Internal Citizen Services
and Crisis Management



Quenby Wilcox
1428 5th Street, NW
Washington, DC 20001
Quenbywilcox2@gmail.com
Tel. 202-623-7696 cel. 202-213-4911

Andrew T. Miller
European Division Director
Office of American Citizen Services and Crisis Management
2201 C Street NW
Washington, DC 20520

Dear Mr. Miller;

September 20, 2010

Thank you for your letter dated March 17, 2010, written at the request of Congresswoman Eleanor Norton Holmes regarding my pending problems with the Spanish judicial system.

I have been in correspondence with Carrie Greene in the Office of American Citizens Service and Crisis Management, and appreciate her assistance. As an expatriate of almost 30 years, and someone who has been involved in assisting expatriated communities for many of those years, I do appreciate the many and varied cases that your office deals with on a daily basis. Unfortunately, with the globalization of this world, the complexity and quantity of these cases will only continue to grow.

In your letter you state that my case is a “civil dispute,” but I can assure you that my case and those like mine are human, civil and constitution rights violations. Please see enclosed article *Domestic Abuse Breaks More than Bones, It Breaks the Heart and Spirit and Is So Designed* by Quenby Wilcox (with excerpts from *Letter to My Mother* by Ingrid Betancourt.)

Regardless of the many barriers that I have encountered in creating and developing Global Expats and www.global-expats.com, I will not abandon my work. The idea for this association came from my own personal experiences as a “trailing spouse” and my knowledge that this group lacks effective assistance during their years abroad. However, until my nightmare of the past 3 years, even I did not realize to what extent these women, and increasingly men, are provided with no real protection or advocacy; and the dire need for an organization such as mine.

Sincerely,

Quenby Wilcox
Founder, Global Expats
www.global-expats.com

Enclosure: *Of Exes and Expatriates* by Niv Elvis – Quotidian Dissent
Domestic Abuse Breaks More than Bones, It Breaks the Heart and Spirit and Is So Designed by Quenby Wilcox

cc. Carrie Greene, Office of American Citizen Services and Crisis Management



Quenby Wilcox
1428 5th Street, NW
Washington, DC 20001
Quenbywilcox2@gmail.com
Tel: 202-623-7696 cel. (202) 213-4911

Carrie Greene
Office of American Citizens Services and Crisis Management
2201 C Street NW
Washington, DC 20520

Dear Ms. Greene;

September 20, 2010

First, I would like to thank you for your attention and patience during our telephone conversation in April and September 2010. Unfortunately, I am more than aware of the myriad of problems expatriates face, their frustrations in attempting to resolve these issues, and their ensuing requests for assistance from government agencies. I can imagine the quantity of telephone calls and letters your office deals with on a daily basis, and the difficulty of dealing with many of the requests.

It is my comprehension of these problems, and the limited ability of government agencies in dealing with constituent problems, that I developed the idea for Global Expats. As a non-government organization, which produces its own funding, it would have the ability and capacity to promote and defend the rights of expatriated citizens, with no conflicting political or economical interests. Please see enclosed correspondence to Ms. DeLong Greenberg, Family Liaison Office, US State Department, dated March 25, 2007.

My ex-husband has gone to the most extra-ordinary lengths to destroy me and this project. It was in the spring of 2007, when the entire project was "taking off," that the abuse in my home escalated to the point that I feared for my life and that of my children. The most effective and commonly used tactic in domestic abuse is financial control, and my case is no exception.

My logical recourse was to file a complaint with the local police, and is what I did. Unfortunately, under cultural norms in Spain, this is exactly what one should NOT do. As stated in Amnesty International report *Mas Alla de Papel*, "I cannot report him, that's the truth of the matter, because if I report him I will get the entire family against me, ... It is looked upon very badly for a woman to report her husband, it is the worst thing on this Earth and it is a sure road to ruin."

Long standing customs and norms in Spain override progressive laws and political rhetoric within their judicial systems. In traditional patriarchal families, women and children have no rights. I came to accept this widespread belief in my ex-husband's family long ago for what it is; ignorance and lack of mores. However, I did not expect Spanish courts to uphold and sanction this same belief in their judicial procedures and decisions.

As my own case and divorce so dramatically demonstrate, until antiquated norms, widespread nepotism and discriminatory policies are challenged, constitutional democracies are nothing more than a façade behind which lay oppressive tyranny.

The great majority of mankind are satisfied with appearances, as though they are realities, and are often even more influenced by the things that seem than by those that are. - Niccoló Machiavelli, The Discourses. 1517.

Sincerely,

Quenby Wilcox
Global Expats, Founder
www.global-expats.com

Enclosure: Of Exes and Expatriates by Niv Elis – Quotidian Dissent

Judicial irregularities in the case of Quenby Wilcox with attachments

Correspondence to:

Andrew T. Miller European Division Director, Office of American Citizen Services and Crisis Management

Penny Gennatiempo, American Consul, American Embassy in Madrid, Spain

Ambassador Alan D. Solomont, American Embassy in Madrid, Spain

Ambassador Eduardo Aguirre, American Embassy in Madrid, Spain, October 2007

Daniel Keller, American Consul, American Embassy in Madrid, Spain, March, 2007

Ann DeLong Greenberg, **Family Liaison Office**, U.S. Department of State, March 2007

cc. Andrew T. Miller, European Division Director, Office of American Citizen Services and Crisis Management

American Consul, American Embassy in Madrid, Spain Peggy Gennatiempo

Senator Mary Landrieu (LA)

Congresswoman Eleanor Norton Holmes (DC)



Quenby Wilcox
1428 5th Street, NW
Washington, DC 20001
Quenbywilcox2@gmail.com
Tel. (202)623-7696

Peggy Gennatiempo
Consul General
American Embassy in Madrid
c/ Serrano, 75
28006 Madrid, SPAIN

Dear Consul Gennatiempo,

September 20, 2010

As an American experiencing infractions of me and my children's human, constitutional, and civil rights within the Spanish judicial system, and per instructions of Andrew T. Miller, European Division Director, Office of American Citizen Services and Crisis Management, I am requesting assistance from the American Consulate in Madrid.

Court documents pertaining to my case in Spain have been on file at the American Consulate in Madrid since October 2007. But, I have enclosed *Judicial irregularities in the case of Quenby Wilcox and My Divorce from Infierno*, which I think explain the details of my case more concisely.

In the coming months my latest Spanish lawyer (lawyer #7) will be initiating liquidation of my assets in Spain at which time I will be returning to Madrid, and my children. I am, therefore, requesting that the American Consulate oversee future legal proceedings (under provisions in the Convention of Consular Affairs,) assuring that all documents, petitions and judicial decisions are carried out in accordance with Spanish law and legal precedents already set down in my case by the presiding judge.

FYI regarding my future petitions - As provided under common property law I will be requesting that assets be divided "equally," and debt/liabilities be divided "equitably," allowing for rectification of past judicial biases favoring my ex-husband, and in violation of me and my children's rights.

In the past 3 years the judicial decisions have violated rights set forth in Articles 81-100 of the Spanish Constitution, the "reasonable person" doctrine, common property law, the European Convention on Human Rights, United Nations Agreement on Human Rights, Convention on the Rights of the Child, and the Convention on the Elimination of Discrimination Against Women. These decisions have effectively denied me contact with my children and access to all of my assets, while holding me responsible for liabilities incurred by my ex-husband during our marriage.

US State Department representatives have repeatedly refused my requests for assistance under the contention that my case is nothing more than a “civil dispute.” This attitude and belief, prevalent amongst law enforcement officials, judicial civil servants and judges, is responsible for the rampant re-victimization of victims in cases of domestic abuse.

As my case so dramatically demonstrates, the “*Tolerancia Zero*” in western divorce courts is not for the abusers, but rather for victims who refuses to bow into submission, and be silenced. The dynamics in my case are similar to what Muslim women are facing in Islamic countries. The only difference is that in those countries human rights violations are reputedly sanctioned by law, while in western countries they are carried out in violation of laws, treaties and democratic principles.

High profile media cases such as Daniel and Sean Goldman, Maria Jose and Victoria Carrascosa, and so many more are just the beginning of an ever growing political time bomb.

I do know how to avoid these cases from developing into crisis situation, and I would be working towards this end if control of my website and access to my assets would be returned to me.

Thank you in advance for your consideration.

Sincerely,

Quenby Wilcox

Enclosure: Of Exes and Expatriates by Niv Elis – Quotidian Dissent

Judicial irregularities in the case of Quenby Wilcox with attachments

Domestic Abuse Breaks More than Bones, It Breaks the Heart and Spirit and Is So Designed
by Quenby Wilcox

Correspondence to:

Andrew T. Miller European Division Director, Office of American Citizen Services and Crisis Management

Carrie Greene, Office of American Citizen Services and Crisis Management Ambassador

Alan D. Solomont, American Embassy in Madrid, Spain

Ambassador Eduardo Aguirre, American Embassy in Madrid, Spain, October 2007

Daniel Keller, American Consul, American Embassy in Madrid, Spain, March, 2007

Ann DeLong Greenberg, **Family Liaison Office**, U.S. Department of State, March 2007

cc : Andrew T. Miller European Division Director, Office of American Citizen Services and Crisis Management

Carrie Greene, Office of American Citizen Services and Crisis Management

US Senator Landrieu of Louisiana

Congresswomen Eleanor Norton Holmes



Quenby Wilcox
1428 5th Street, NW
Washington, DC 20001
Quenbywilcox2@gmail.com
Tel. 202-623-7696 cel, 202-213-4911

Ambassador Alan D. Solomonte
American Embassy in Madrid
calle Serrano, 75
28006 Madrid, SPAIN

Dear Ambassador Solomonte,

September 20, 2010

As an American experiencing difficulty within the Spanish judicial system I am taking the liberty of contacting you. While I have written to Consul Peggy Gennatiempo concerning my particular case, I am writing to you because my situation is not an isolated incident. It is representative of problems that more and more American expatriates are experiencing within foreign jurisdictions, and therefore becomes a policy concern for the US government, US State Department, and US Embassies.

Organizations in the USA and Europe recognize that domestic abuse is a human rights violation. Nevertheless, it is repeatedly argued by officials and civil servants of these countries that individual cases are nothing more than "civil disputes." In my own case this has repeatedly been the stance of law enforcement officials, judges, lawyers, and US State Department representatives.

As long as large dichotomies between rhetoric and reality exist within government institutions, systematic torture and genocide of women and children will continue to plague this world.
Thank you in advance for your time and consideration.

Sincerely,

Quenby Wilcox



Quenby Wilcox
1428 5th Street, NW
Washington, DC 20001
Quenbywilcox2@gmail.com
Tel. 202-623-7696 cel. 202-213-4911

Senator Mary Landrieu
328 Hart Senate Office Building
Washington, DC 20510
Telephone: (202) 224-5824
Fax: (202) 224-9735

Dear Senator Landrieu,

September 20, 2010

I would like to thank you for your letter dated August 23, 2010, and taking an interest in my case. For your convenience I have enclosed my correspondence to the American State Department in Washington, DC and the American Embassy in Spain.

It is my sincere hope that in the coming months, with the help of my latest lawyer and under the surveillance of the American Consulate in Spain, my case may be resolved in an amicable and equitable manner for my ex-husband, myself and above all my children.

Unfortunately, the problems I have faced are not unusual within divorce courts and custody battles, particularly in cases of domestic abuse. The Leadership Council in the USA estimates that abusive parents are being awarded custody of their children at a rate of 70%, with reports by Amnesty International painting a much bleaker picture in western European countries.

The ultimate goals of my work as an adult has been to promote the rights of women and children at grass-roots levels and under progressive laws and changing social norms. I truly believe that is where the key to global advancement lay.

However, after my own recent experience within a judicial system, I have come to realize the extent to which the success or failure of political solutions rests within our courts. While legislation may provide the opportunity for the advancement of rights, it is on a case by case basis in judicial systems that these rights are upheld or violated.

When I was young I intended on entering the world of global politics, and why I chose to attend a university in Washington, DC. During those years I had the honor and good fortune to work on Capitol Hill for former Senator J. Bennett Johnston, but very quickly became disheartened by the harsh realities and inner workings of the political process. However, as you may appreciate I never lost my passion for or dedication to political and social activism.

Thank you again for you interest and assistance.

Sincerely,

Quenby Wilcox
Global Expats, Founder
www.global-expats.com

Enclosure: Of Exes and Expatriates by Niv Elis – Quotidian Dissent
Judicial irregularities in the case of Quenby Wilcox with attachments
Domestic Abuse Breaks More than Bones, It Breaks the Heart and Spirit and Is So Designed by Quenby Wilcox

Correspondence to:

Andrew T. Miller European Division Director, Office of American Citizen Services and Crisis Management
Carrie Greene, Office of American Citizen Services and Crisis Management
American Consul
Penny Gennatiempo, American Consul, American Embassy in Madrid, Spain
Ambassador Alan D. Solomont, American Embassy in Madrid, Spain

Cc : Andrew T. Miller European Division Director, Office of American Citizen Services and Crisis Management
Carrie Greene, Office of American Citizen Services and Crisis Management
Peggy Gennatiempo, American Consul, American Embassy in Madrid, Spain

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WASHINGTON, DC 20503-8E>4

September 16, 2010

Ms. Quenby Wilcox
1428 5th Street, NW
Washington, O.C. 20001

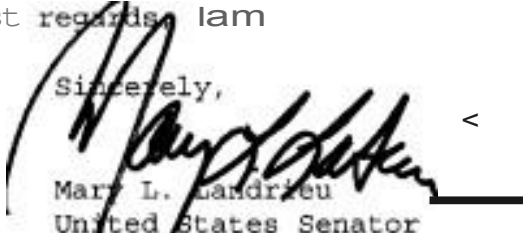
Dear Ms. Wilcox:

I am enclosing a copy of a letter which I have received from the U.S. Department of State in response to my inquiry on your behalf. I regret these officials are unable to provide the assistance you requested.

I also regret my efforts to be helpful to you did not meet with success. Nevertheless, it was a pleasure for me to try to be of assistance. If I can be of service in any other way, please let me know.

Meanwhile, with kindest regards, I am

Sincerely,


Mary L. Landrieu
United States Senator

MLL:sl
Enclosure



United States Department of State
Washington, D.C. 20520

September 22, 2010

U.S. Senator Mary L. Landrieu
Room 326, Federal Building
707 Florida Street
Baton Rouge, LA 70801

Dear Senator Landrieu,

This letter is in reply to your August 23, 2010 letter, received in our office on September 8, 2010, regarding Quenby Wilcox's inquiry about legal matters in Spain.

We in the United States government cannot take any role with regard to Spanish judicial procedures. Also, as this office has previously informed Ms. Wilcox, **we cannot intervene in civil matters.**

We hope this information is helpful to you. Should you have any additional questions, please contact Carrie Greene in the Office of American Citizens Services and Crisis Management at: (202) 736-4954.

Sincerely,

Andrew T. Miller
European Division Director
Office of American Citizen Services
and Crisis Management

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\\ASHItfGTON,DC 20610-1SG4

August 23, 2010

Quenby tJilcox
1428 5th Street, NW
Washington, O.C.20001

Dear Ma . Wilcox :

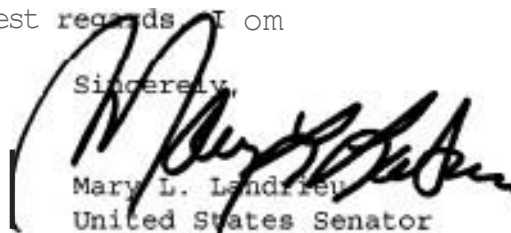
Thank you for aending your completed consent form, with
attachbments, regarding your International Divorce case in Spain
and the difficulties you have been experiencing. Ishall be
pleased to try to be helpful to you .

Iwas happy therefore to inform the proper State Department
officials of my personal interest in you . I have asked them to
promptly review your plight and to offer every possible
assistance to you and your children. I have also asked them to
send a report on their findings on your behalf as soon aa
possible.

Upon receipt of a response, I will be back in touch with
you promptly .

Meanwhile, with kindest regards I om

Sincerely,



Mary L. Landrieu
United States Senator

MLL:sl



Embassy of the United States of America

October 1, 2010

Ms. Wilcox
1425 5th Street, N.W.
Washington, DC 20001

Dear Ms. Wilcox,

Thank you for your letter of September 20, 2010 to the Ambassador outlining your concerns about difficulties Americans may experience in dealing with the judicial system in countries outside the United States. Since the Consular Section is responsible for American citizen services, I have read your letter and determined what, if anything, the Embassy could do to assist. I understand and sympathize with your desire to receive equitable treatment in legal proceedings you are involved in here in Spain.

Our Consular Section as well as the State Department are aware of your situation and have actively reviewed your written inquiries. However, State Department policies preclude consular officers from acting as attorneys or interfering into legal proceedings in foreign courts. While I appreciate your request for assistance in overcoming your future legal proceedings, consular officers cannot act to ensure that petition documents and judicial decisions are made in accordance with foreign laws.

Often, these cases pose difficult situations for all parties involved, especially regarding equitable distribution of assets and access to children among other issues. I hope that the attorney you have retained to handle your case will offer supportive and helpful legal advice.

Sincerely,


Peggy Gennatiempo
Consul General
U.S. Embassy Madrid



Quenby Wilcox
Founder
Global Expats – www.global-expats.com
1428 5th Street, NW
Washington, DC 20001
Quenbywilcox2@gmail.com
Tel. 202-623-7696 cel, 202-213-4911

US Secretary of State Hillary Rodham Clinton
US State Department
2201 C Street NW
Washington, DC 20520

Dear Madam Secretary Clinton,

September 25, 2010

I am taking the liberty of contacting you regarding an ever growing problem amongst American citizens living abroad; international divorce and custodial rights.

As Paula Lucas, the founder of the Americans Overseas Domestic Violence Crisis Center, said. "There's a bias to give custody to the national, rather than the foreign parent. Furthermore, would-be divorcees often lack funds for legal help and face language barriers in court. They may be stripped of their legal standing, denied visitations rights, and have difficulty accessing their assets if they leave the country. Worst of all, provisions of the Hague Convention on the Civil Aspects of International Child Abduction, a treaty designed to protect children from being kidnapped and taken abroad, fail to adequately account for abusive circumstances." In the first six months of this year alone, Lucas's Crisis center received 1,189 calls from 281 expatriated men and women, representing 254 children.

In the past 3 years and in regards to my own personal case, I have repeatedly requested assistance from US State Department under the Convention of Consular Affairs. On each occasion my requests have been denied under the contention that my case is nothing more than a "civil dispute," even though it involves violations of me and my children's constitutional, civil and human rights. If the US Consulate in Spain and other US State Department agencies had complied with my requests from the beginning, the author of these violations would have thought twice before infringing the law.

It is my hope that my own case will soon be resolved; however my work in promoting and protecting the rights of expatriated families within the framework of Global Expats is just beginning. I hope in the future that the US State Department might provide me with the support and assistance, as provided for in international treaties, needed in protecting rights of individual American men, women and children living abroad.

Thank you in advance for your time and consideration.
Sincerely,

Quenby Wilcox
Founder
Global Expats



Quenby Wilcox
Founder
Global-Expats / www.global-expats.com
1428 5th Street, NW
Washington, DC 20001
Tel. 202-213-4911

Melanne Verveer
Ambassador-at-Large - GLOBAL WOMEN'S ISSUES
U.S. Department of State
2201 C Street NW,
Washington, DC 20520

Dear Ambassador Verveer;

September 21, 2010

I have followed President Obama's initiative to grant asylum in the US to battered women living under oppressive governments with great interest. While I admire this policy, I would like to know what the US policy is when the victims are Americans living abroad suffering under oppressive governments?

Reports by Amnesty International and other organizations demonstrate that the Spanish judicial system is consistently failing to uphold the human, civil and constitution rights of women and children in cases of domestic abuse.

However, in my personal contact with the American Consulate in Spain and US State Department agencies in Washington, they have contended that my own case is nothing more than a "civil dispute." In addition to violation of Spanish constitutional rights, my case is filled with violations of the European Convention on Human Rights, United Nations Agreement on Human Rights, Convention of the Rights of the Child, and the Convention on the Elimination of Discrimination Against Women all of which Spain is a signatory.

Why are human and civil rights violations of Americans' abroad, under jurisdiction of oppressive governments, not given the same importance as the citizens of these same countries?

Sincerely,

Quenby Wilcox
Global-Expats - Founder

**Correspondence with U.S. State
Department Officials in regards to
www.global-expats.com
2007**





Quenby Wilcox
Global-Expats.com
Apartado de Correos #9
28692 Urb. Villafranca del Castillo
Madrid, Spain Tel. +34.91.810.2504 Fax. +34.91.810.2353
administration@global-expats.com
www.global-expats.com

Maria Teresa Aguirre
American Embassy
calle Serrano, 75
28006 Madrid, SPAIN

Dear Mrs. Aguirre;

March 12, 2007

I have taken the liberty of contacting you because I am in the process of promoting a project that I have been developing for the past two years, and that I feel that will be of interest to American Embassies as well as their expatriated communities.

Briefly, I have created an entirely free-of-charge, multi-lingual, information based website, www.global-expats.com, which has been available on the Internet since November 2006. It will eventually be complimented by a global *trailing spouse* organization, which through networking will assist them in their efforts to maintain careers and financial independence while abroad.

Please find enclosed a prospectus, which defines and explains this project in it's' entirety.

In the promotion of this project I am experiencing great difficulty in contacting the appropriate people within governmental organizations who might assist in the development of this project. Therefore, I have written to you in the hope that you may assist me in contacting the appropriate person, or persons, within the US State Department.

Additionally, I hope that you may be able to assist me in notifying the American expatriated community in Madrid and throughout Spain as to the existence of this website. For your convenience, I have enclosed copies of a publicity "flyer" that I have prepared, and respectfully request that it be posted within the American Embassy and Consuls in Spain.

Thank you in advance for your time and consideration, and please feel free to contact me with any questions that you may have.

Sincerely,

Quenby Wilcox
administration@global-expats.com
www.global-expats.com



Quenby Wilcox
Global-Expats.com
Apartado de Correos #9
28692 Urb. Villafranca del Castillo
Madrid, Spain
Tel. +34.91.810.2504 Fax. +34.91.810.2353
administration@global-expats.com
www.global-expats.com

Eduardo Aguirre
U.S. Ambassador to the Kingdom of Spain and the Principality of Andorra
American Embassy
calle Serrano, 75
28006 Madrid, SPAIN

Dear Ambassador Aguirre;

March 12, 2007

I have taken the liberty of contacting you because I am in the process of promoting a project that I have been developing for the past two years, and that I feel that will be of interest to American Embassies as well as their expatriated communities.

Briefly, I have created an entirely free-of-charge, multi-lingual, information based website, www.global-expats.com, which has been available on the Internet since November 2006. It will eventually be complimented by a global *trailing spouse* organization, which through networking will assist them in their efforts to maintain careers and financial independence while abroad.

Please find enclosed a prospectus, which defines and explains this project in its' entirety.

In the promotion of this project I am experiencing great difficulty in contacting the appropriate people within governmental organizations who might assist in the development of this project. Therefore, I have written to you in the hope that you may assist me in contacting the appropriate person, or persons, within the US State Department.

Additionally, I hope that you may be able to assist me in notifying the American expatriated community in Madrid and throughout Spain as to the existence of this website. For your convenience, I have enclosed copies of a publicity "flyer" that I have prepared, and respectfully request that it be posted within the American Embassy and Consuls in Spain.

Thank you in advance for your time and consideration, and please feel free to contact me with any questions that you may have.

Sincerely,
Quenby Wilcox
administration@global-expats.com
www.global-expats.com



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Daniel Keller
Consul General
American Embassy
calle Serrano, 75
28006 Madrid SPAIN

Dear Consul Keller;

March 30, 2007

Thank you very much for your response to my letter to Ambassador Aguirre dated March 12, 2007. I understand and appreciate the Embassy's policy of not advertising commercial interests on the Embassy's webpage. However, my website is not a commercial site; it does not sell any product or service.

All information and services offered on the website are entirely free of charge. Its' primary objective is to provide a worldwide communication portal for *trailing spouses*. Please see enclosed prospectus for the project in its entirety.

Global-Expats Association will be similar in structure to that of FAWCO (Federation of American Women's Clubs Overseas) and FIAFE (the French version), however, its' managers and employees will be **financially remunerated**. Global-Expats will not look to replace these non-profit organizations, but will rather provide practical and financial support to them. It will also act as a liaison between the various expat communities within any one country.

I realize that this entire project is rather unusual and out of the mainstream, therefore, difficult for multinational and government employers to appreciate its necessity and viability. It is for this reason I sent a copy of my prospectus to Mrs. Aguirre (letter dated March 12, 2007) in the hope that she may be in a better position to judge the value of this project. As to date I have not heard from her and am unaware if she ever received my correspondence.

In the past weeks I have also sent a copy of my prospectus to the following people and departments in the US State Department, and would appreciate your assistance in confirming receipt of these correspondences:

Offices and Organizations, Associates of the American Foreign Service Worldwide - office@aafsw.org
Ann DeLong Greenberg, Director of the Family Liaison Office - Family Liaison Office
U.S. Department of State -Room 1239 -Harry S Truman Building -2201 C Street, NW -Washington, DC 20520 -
Email: flo@state.gov
Transition Center - FSITCTraining@state.gov
Overseas Briefing Center - FSIOBCInfoCenter@state.gov
Career Transition Center - FSICTC@state.gov

This project provides a viable solution to all of the challenges expatriated families face during their years abroad and hope that the US State Department might assist me in the logistics of developing it.

Sincerely,
Quenby Wilcox – Founder, administration@global-expats.com , www.global-expats.com

encl.: correspondence to Ann DeLong Greenberg, Director of the Family
Liaison Office March 25, 2007



Quenby Wilcox
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Ann DeLong Greenberg
Family Liaison Office, U.S. Department of State
Room 1239, Harry S Truman Building
2201 C Street, NW, Washington, DC 20520
Tel: 202-647-1076, 1-800-440-0397 Fax: 202-647-1670
Email: flo@state.gov

Dear Ms. DeLong Greenberg;

March 25, 2007

In my various efforts to contact the US State Department's "Human Resource Department", I called the State Department and was passed on to Ms. Connie Hansen, Overseas Briefing Center Coordinator, Transition Center/Overseas Briefing Center who later referred me to the OBC's Intranet and Internet webpages, and is where I found the name of your center and email address. It is for this reason I have taken the liberty of contacting you.

The two major problems of the accompanying spouse of expatriated employees, whether from the private or public sector are as follows:

- Maintaining a career and financial-independence while abroad
- Adapting to a new country and environment as well as helping her (or his) family in their adaptation process

There exist various expat associations and clubs which attempt to assist expat communities. These groups are increasingly faced with difficulties in finding volunteers to organize and manager activities as well as to raise funding for their charitable causes. It is for this reason that I have developed the idea for a new association/company, which essentially copies the basic structure of organizations such as FAWCO, but which produces for-profit products and services. Please see enclosed prospectus which explains the concept in its entirety.

The first phase of my project, www.global-expats.com, is completed and available on the Internet since November 2006. This portal/website will rely on the global communication network afforded

trailing spouses to promote its own entrepreneurial efforts as well as encourage and assist its members to develop their own. The net profits of this organization will then be used to promote its philanthropic interests, concentrating on micro-financing and educational opportunities.

I hope that you will take a moment to look over this prospectus, and contact me with any questions you may have about specific programs, strategies, weaknesses, strengths, challenges, etc. as I would be more than happy to explain in detail the various aspects of my plan.

I sincerely, hope that the State Department will encourage their expatriated employees to visit our website as well as participate in its interactive portions, as their participation is vital to developing this cross-cultural, global network.

Thank you in advance for your time and consideration.

Sincerely,

Quenby Wilcox