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The Honorable Caroline Bouvier Kennedy
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March 3, 2016

Dear Ambassador Kennedy,

I am contacting you regarding the case of Mr. James Ryan, an American national residing in Japan, and the failure of the Japanese government to comply with national and international law in regards to the continuing denial of life-saving treatment to his son, Jimmy Ryan, a minor American child in Tokyo.

Please find enclosed a letter I sent to Senator Barbara Boxer, in regard to the case of Mr. Ryan, a constituent of Senator Boxer. As stated in my letter, the gross negligence of the American Consulate in implementing Code of Federal Regulations (CFR22, art. 71.1, 71.6, §10.735–215, §101.3(b), US Code (22USC, art. 2715a & 3904(1), US Department of State Foreign Affairs Manual (7FAM, 1930's), and Convention of Consular Relations (art. 2, 5 & 38), renders them complicit to the human rights violations against Jimmy Ryan.

At present the child is still alive. However, Mr. Ryan has informed that his death is imminent.

I do wish to inform the American Embassy if this child dies, because of the continuing refusal of the American Consulate and Embassy in Japan to fulfill their legal obligation *to protect* under international law (*Gonzales Lenahan vs. USA*, 2011 and *Gonzalez Carreno vs. Spain*, 2014) and assure that this child is provided with the access to life-saving medical assistance, the American government will, under international law, be complicit in the death of this child.

Governments are using the defense of “sovereignty rights” and “judicial independence”¹ in the cases cited above to defend what in reality is criminal negligence of governments in their failure to implement national and international laws, as Jimmy Ryan’s case so dramatically demonstrates.

I am well familiar with the “sovereignty rights” and “judicial independence” debates as I have been challenging these defenses of the Spanish, American and French governments for the past 8

¹ state vs. federal rights in USA are theoretically the same as the sovereignty rights debate in the international arena

years, and is the crux of my [CEDAW case Wilcox vs. Spain, against the Spanish government](#)², naming the American and French government complicit and accessories to the crimes and human rights violations of the Spanish government—noting that the defense of the Spanish government in *Gonzalez vs. Spain* was “judicial error” and a failure to exhaust, with the Bar Association of Madrid in my case claiming it is the “right of lawyers in Spain to engage in “judicial error” under the principle of judicial independence.”

This ludicrously is why government’s argumentation of “judicial independence” and “sovereignty” (in the cover-up of judicial corruption) has no logic, or legal validation.

I completely understand the American government’s (and all government’s) contention that they are prohibited from “intervening in judicial procedures, particularly those under foreign jurisdiction” WHEN integrity, transparency, and accountability exist within the judicial (and executive and legislative) branch of government. However, this is NOT THE CASE in Japan, nor in any other country in the world.

In the USA (the supposed *crème de la crème* of judicial systems), negligence rates are consistently at 70%. Innocence projects across the country are showing judicial error of 70%. Gender-bias and other studies done across the USA by universities, bar associations, and think tanks are showing 70% “transfer” rates of children to sexually and physically abuse parents with in family courts. However, the 70% (actually 70-90%) negligence/failure rates I am finding in the USA is not reserved to the judicial systems. It is systemic. And, it is systemic because the legal profession (globally) is guided more by greed and nepotism than morals or ethics.

As you can see in my background material for my CEDAW case, [Financing for Development \(FfD\): A Midsummer Night's Dream](#)³, the financial markets are so riddled with greed, nepotism, and corruption that unless government’s address the underlying rampant and systemic corruption within judicial systems, the trillions destined for “saving the world” will do nothing more than aggravate existing global problems of poverty, inequality, global warming, etc.—pushing the world to a point of no return. Much of the 70-90% failure rates of business start-ups in the world today is nothing more than the failure of financiers to “do their homework;” and instead rely on nepotism as well as game-shows and gimmicks to make investment decisions.

Paradoxically, the efforts of Embassies and Consulates to remain “transparent” by not intervening in judicial systems, (in foreign countries) are rendering them complicit to criminal negligence of the Receiving government who are guilty of human rights violations due to their failure to assure transparency and accountability in their courts.

In the case of the American government, and the failure of the US Department of State combat the rampant discriminatory norms within Consulates globally—Consulates that are miserably failing to implement State Department guidelines and directive, but also US federal law, on top of international law—is in part due to lack of leadership from the very top of the American political machine—President Obama. Please see my [series of blogs in the Sean Penn, El Chapo Speaks and Freedom of Speech in America Affair](#), which is on-going due to an American press which has been overtaken by pundits and wisecrackers, rather than serious reporting.

² http://warondomesticterrorism.com/category/defensor_del_pueblo_4-14_english/

³ <http://warondomesticterrorism.com/category/Offd-a-dream/>

As Dr. Justin Frank states in his book, *Bush on the Couch*,

But as we've seen, [President Obama's] most uplifting speeches are often followed by periods of letdown. He flies in, inspires with a speech—and then flies out. I think he is trying not to be one-sided, when sometimes it's necessary for a president to take action. It is on this cusp that we again see Obama using the language of substitution—more subtly so when he's being so connected and empathetic—instead of the Language of Achievement, by which walking in another person's shoes must result in taking action. The bin Laden mission was action taken, and it offered the bonus of distracting us from the violence of unemployment in a way not very different from his extremely moving and meaningful appearance at Booker T. Washington High School. In the latter case, however, empathy and understanding substituted for action...

As president, Obama still exhibits great empathy, but until the mission to get bin Laden, he suffered from a decisiveness deficit; he's more comfortable taking decisive action against an external threat to Americans than on his empathy for the citizens and followers who face homegrown threats posed by legislators who protect the wealthy while slashing needed domestic programs. Instead of acting on his empathy, he outsources action to members of Congress... Obama sometimes behaves too much like his father, flying into a place and then leaving without follow-through...

This inability to follow-through is reflected in the US Department of States inaction in the case at hand to implement US federal law, and international law in their handling of Jimmy Ryan's case. Please see attached my letter to Undersecretary Patrick Kennedy in March 2013. With my correspondence to the US Department of State, Congress and the White House posted on www.warondomesticterrorism.com, along with my reports *Failure of Family Courts to Protect Victims of Sexual Abuse*⁴, and *Abuses of Power in Our Societies and Court Systems: Implications and Solutions Under Human Rights Law*⁵, *Domestic Abuse as a Human Rights Violation & the Principle of Due Diligence: An Intersectional Approach*,⁶ as well as *Family Courts in Crisis*.⁷

While the concentration of my work, until present, has been in the area of corruption and negligence in family courts as human rights violations, I do not discriminate against children

⁴ http://warondomesticterrorism.com/category/report-child_sex_abuse/

⁵ http://warondomesticterrorism.com/category/report-domestic_violence/

⁶ http://warondomesticterrorism.com/category/report-dv_as_human_rightsViolation_duty_to_protect/

⁷ June '14 Judicial Corruption & Human Rights, May '14 Transparency Intl.-Global Corruption Report-Part I, Apr '14 Integrating Human Rights in the Anti-Corruption Agenda, Mar. '14 Corruption & Human Rights-Making the Connection, Feb. '14 The Relationship Btwn. Human Rights & Corruption / Organised Crime & Corruption , Jan. '14 - Amnesty Intl (Spain) - What Specialized Justice?, Dec. - United Nations Secretary General's Report - Advancement of Women: In-depth Study on VAW, Nov. - Save the Children Report - The Spanish Justice System Confronted with Sexual Abuse w/in the Family, Oct. - The Emperor's New Clothes – Domestic Violence, International Divorce, and a State's Obligation to Protect under International Law, Sept. - Hague Convention Domestic Violence Project, Aug. - works by Barry Goldstein, Dr. Mo Hannah & Elizabeth Liu, July - documentary "Now Way Out But One" by Garland Waller & Barry Nolan, June - Safe Kids International & Damon's List , May - Battered Mother's Custody Conference (BMCC), Mothers of Lost Children (MOLC) White House Demonstration, & National Safe Child Coalition (NSCC) lobbying efforts on Capitol Hill. http://warondomesticterrorism.com/category/fcc_newsletters/

whose violation of rights, and/or life and death issues do not involve family courts—I will protest against the violation of the rights of anyone, anywhere. The problems in the courts, from a human rights perspective, are the same as in criminal and civil courts, as well as a current case of work-place bullying.

Rampant and systemic abuses of power are occurring at all levels of societies due to public authorities turning a blind eye to abuse of power under their purview—in international jargon called lack of governance and transparency. Please see the [IMF/World Bank Annual Meeting Civil Society Townhall 2015](#)⁸ which explain the underlying issues and the necessity for civic actions, such as my own, in calling for implementation of decades of empty promises and rhetoric.

I sincerely hope that the American Consulate in Japan will, take whatever immediate actions are necessary to provide all, and any, emergency humanitarian assistance to the son of James Ryan, Jimmy Ryan, a minor child and American citizen, whose right to life, and humanitarian aid, has been denied to him for almost a decade, while this brave poor soul fights desperately for his life with every ounce of his being.

In your book *The Right to Privacy* (which I will be using in developing argumentation of universal jurisdiction for combating human rights violations in family courts at a global level), you wrote,

Why we as Americans so cherish our privacy is not easy to explain. Privacy covers many things. It protects the solitude necessary for creative thought. It allows us the independence that is part of raising a family. It protects our right to be secure in our own homes and possessions, assured that the government cannot come barging in. Privacy also encompasses our right to self-determination and to define who we are. Although we live in a world of noisy self-confession, privacy allows us to keep certain facts to ourselves if we so choose. The right to privacy, it seems, is what makes us civilized.

As you so eloquently state, it is the right to privacy which brings civility to mankind. But, it is the right to life which brings humanity to mankind.

Sincerely,



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⁸ <http://live.worldbank.org/civil-society-townhall-2015>